



Historic Preservation Commission

Regular Meeting

~ Agenda ~

<http://www.townofboone.net/>

Jane Shook
828-268-6960

Tuesday, December 8, 2020

3:00 PM

WebEx

This meeting will be held remotely using WebEx, a video conferencing software. 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**

September 30, 2020 Council, CAC & HPC Joint Meeting Minutes

October 27, 2020 Council, CAC & HPC Joint Meeting Minutes

November 10, 2020 Meeting Minutes

Cemetery Deeds Research Information

- IV. Public Comment
- V. Junaluska Marker
- VI. Turner House
- VII. Zoning & Historic District Processes
- VIII. Town Streets
- IX. Town Website
- X. Informal Discussion/Other Matters
- XI. Adjournment

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

Note: To preserve bandwidth and ensure an orderly meeting, individuals who wish only to view the meeting but not speak at 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 participation must be completed by 5:00 p.m. on the day of the meeting.

**TOWN OF BOONE
COUNCIL, COMMUNITY APPEARANCE COMMISSION, HISTORIC PRESERVATION COMMISSION & STATE
HISTORIC PRESERVATION OFFICE
JOINT MEETING MINUTES
WEDNESDAY, SEPTEMBER 30, 2020 at 6:00 P.M.**

COUNCIL MEMBERS:	Rennie Brantz, Mayor, Loretta Clawson, Mayor-Pro Tem, Connie Ulmer, Nancy LaPlaca, Sam Furguele and Dustin Hicks
CAC MEMBERS PRESENT:	Chairperson Brian Williams, Vice-Chairperson Sarah-Davis Cagle and Maggie Trumpower
HPC MEMBERS:	Chairperson Eric Plaag, Vice-Chairperson Phoebe Pollitt, Bettie Bond, Teresa Pearman and Chuck Watkins
SHPO MEMBERS PRESENT:	Annie McDonald, Preservation Specialist from Asheville, NC and Kristi Brantley, Local Preservationist Commission, CLG Coordinator from Raleigh, NC
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections, Brian Johnson, Urban Design Specialist, Christy Turner, Senior Planner, Mike James, Senior Planner 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

CALL TO ORDER

Mayor Rennie Brantz called the joint meeting to order held online via WebEx, a video conferencing software on September 30, 2020 at 6:13 p.m.

INTRODUCTIONS

Mr. Brian Johnson, Urban Design Specialist asked for everyone present to introduce themselves.

Mr. Johnson voiced a note of appreciation for Ms. Annie McDonald, a Preservation Specialist from the Asheville, North Carolina Western State Historic Preservation Office and Ms. Kristi Brantley, a Local Preservationist Commission and Certified Local Government Coordinator from the Raleigh, North Carolina State Historic Preservation Office for attending this virtual meeting.

Ms. Jane Shook, Director of Planning and Inspections explained that Mr. Johnson and Ms. Christy Turner, Senior Planner would be giving individual presentations at this meeting. She said after these two presentations, the floor would be open for questions and comments.

Mr. Johnson began his presentation with an overview on the work of the Community Appearance Commission on the Downtown Design Guidelines. He pointed out that the Staff has prepared multiple maps that representing the Project Area, Existing Zoning, B1 Downtown Interface, B1 Downtown Core, Entire Project Area-Proposed Zoning and Downtown Boone Local Historic District. He said the maps were created to help define the proposed changes to the Downtown area (permanently on file).

Mr. Johnson explained that the CAC is proposing to create two different zoning districts to replace the B1 zoning district. The two zoning districts are the B1 Downtown Core and the B1 Downtown Interface. He said the CAC while proposing the two zoning districts reviewed the uses, setbacks and landscaping regulations for the Downtown area. He added that the entire Unified Development Ordinance will be reworked to provide a separate Article for each zoning district in an Article 18. He stated the entire work product will include both a UDO text and Zoning map amendment which will include approximately 254 parcels in the Downtown area to be rezoned.

Mr. Johnson said the Project Area map includes the 254 parcels located in the Downtown area from Hardin Street to Pinnacle Drive. He added the area outlined on this map is the Town Limits at this time and is the area for the proposed changes.

Mr. Johnson said the Existing Zoning districts map shows the current zoning districts which goes from approximately College Street to Poplar Grove Road up to Queen Street and down to portions of Rivers Street. He said if rezoned, all of the existing zoning districts would be either in the B1 Downtown Core or B1 Downtown Interface Districts.

Mr. Johnson explained the proposed B1 Downtown Interface District is outlined in the darker pink color. He said the purpose of the B1 Downtown Interface is to basically serve as a gateway into the Downtown area. He said at previous CAC meetings it was discussed that the Hardin Street and the greasy corner area is a natural entrance into the Downtown area and the Pinnacle Drive location on the western end of the Downtown area has a natural entrance feel into the Downtown area. He said the CAC has identified a transition between the B1 Downtown Core and the outlying adjacent zoning districts. He said the development in this district is intended to be sensitive to issues of compatibility with the B1 Downtown Core District and also to be sensitive to the Historic Preservation Commission Historic District as well.

Mr. Johnson explained that the proposed B1 Downtown Core District is outlined in the lighter pink color. He said this proposed area goes from the northern end of West King Street to the King Streets Flats Mixed Use project and on the south end of Howard Street and extends up to the Watauga County Courthouse and Rams Rack property on the west end. He said the purpose of the Downtown Core is to identify the center of the Downtown area which will contain the greatest concentration of historic buildings. He said this proposed district establishes a continuous building facade at the street frontage to strengthen the identity of the Downtown area as a pedestrian destination through a careful selection of building materials, human scale design and ground floor fenestrations of the buildings. He said the standards are to reinforce the important nature of the existing appearance of height, scale and massing of the buildings.

Mr. Johnson explained that the Entire Project Area map is outlining the proposed zoning changes for the Downtown area. He said the boundary area is outlined with the green border, the darker pink is the B1 Downtown Interface District, the lighter pink is the B1 Downtown Core District and the yellow highlighted area is the R1A Single-Family Residential with Accessory Apartment properties. He said that he would ask Ms. Shook to further explain the reason why the R1A Single-Family Residential zoned properties are included in the proposed area boundary.

Ms. Shook pointed out that the area where Bent Street and Straight Street are located is currently zoned B1 Central Business District. She explained that in the proposed B1 Downtown Core and B1 Downtown Interface there will not be a B1 Central Business District, therefore, these parcels will need to be rezoned to either new proposed districts or an existing district. She said that upon evaluation of these said parcels, they are all residential in nature and they were not intended to be within the Downtown area. She said the CAC and the

Council had identified these parcels to be rezoned in a separate project. She said if approved the said parcels will be rezoned to one of the zoning districts outlined on this map.

Mr. Johnson explained the purple-hatched area of the Downtown Boone Local Historic District map is the Historical District Overlay that Ms. Turner will be reviewing at this meeting. He explained that the lighter pink is the CAC's historic core that they have proposed to extend down towards the King Streets Flats Mixed Use Project and just past Appalachian Street and the Watauga County Courthouse property and the apartments on Queen Street.

Ms. Turner explained that the purple-hatched area on the map outlines the Downtown Historic District. She said the district overlays portions of the Downtown Core and Downtown Interface areas.

Ms. Turner explained that overlay zoning needs to happen to create the Downtown Historic District. She said the map shows 131 parcels which will need a zoning map amendment. She said the Historic District Overlay is based on a comprehensive architectural survey of the Downtown Boone area that has not been adopted by the Council. The Downtown Local Historic District and Handbook should be the guide for Certificate of Appropriateness Application process, if adopted. She said the report and recommendation for the Downtown Boone Local Historic District has been submitted to the State and has received glowing reviews. She explained that some of the changes will require the HPC to need to meet in the evenings to handle quasi-judicial matters, receive board training, and new forms and fees will be required and regular Town Attorney attendance at the quasi-judicial meetings will need to be added to budgetary requirements.

Ms. Turner reviewed the following sections of the *2006 Comprehensive Plan* noting that they support the work of the HPC and CAC in the Downtown area: 2.1 THE ECONOMY, 2.1.1 Economic Development, 2.1.4 Downtown, 2.3 THE COMMUNITY, 2.3.2 Community Character, 2.3.2 Public Involvement.

Ms. Shook noted that the boundaries, content and process topics are open for discussion or other topics that anyone would like to discuss regarding the information in the presentations given at this joint meeting.

Ms. Annie McDonald from the State Preservation Office in Asheville, North Carolina confirmed that her office has reviewed the survey report prepared by HPC Chairperson Eric Plaag that covered the Municipal Service Area and some additional properties. She pointed out that her office has not reviewed the local designation report for the Downtown Historic District. She said that her office is required by State Statute to review any local designation reports from individual resources as well as proposed local designations. She said that her office has reviewed the local designation reports for the Linney House, the Linney Law Office and the United States Post Office.

Discussion ensued on the process for the Design Guidelines. HPC Chairperson Plaag asked Ms. McDonald and Ms. Turner to talk about where the Design Guidelines fit into the overall process with the proposed Historic District. Ms. McDonald pointed out the importance of having the public engagement on the front end of the work of the HPC and CAC. She said the public engagement helps with the development of the designation and working through some of the principles of design review. She said the benefit of getting the public support on the front end is important so you're not be in the position of hearing business or property owners say that they were not clear on the expectations or they're not informed on the work of the proposed historic district overlay. She said you reinforce the community impact about why we are wanting to preserve Boone. Ms. McDonald stated as you engage the public through the designation process; you get business and property owners to give their input of the special characteristics of the historic district. She said you learn of the things that the community might want to preserve. Ms. McDonald continued by stating, the State

enabling legislation requires that design guidelines now called design standards be in place at the time of designation.

Ms. McDonald talked about a lot of communities starting with the Secretary of the Interior Standards for the rehabilitation of buildings and that they are the foundation for most of the design guidelines created nationwide. She said the Secretary of the Interior Standards is a tool developed by the national park service and it has become the standard to use by historic practitioners of all levels across all fields and sectors. She said they are useful because they are general and because they allow people to get familiar with the concept of design review. She said it is challenging because they are general and do not always address certain situations in each community. She said a common chain of events is to designate the district and at the time designation the Secretary of the Interior Standards is the guiding document for design review for the standards that are eventually adopted. She noted that as you are working with property owners, you then develop through a public engagement process your specific design standards for the district. She said sometimes the design standards are developed in-house by Planning staff in consultation with the HPC and property owners and input from other stakeholders. She noted there are many firms that work on design guidelines, as well.

HPC Chairperson Plaag explained that most of the process in Boone has been influenced in some respect by the CAC's work with the appearance standards. He further explained that later in the work of the CAC, the conversation shifted for the HPC to also be developing the HPC standards because the HPC and CAC are working on similar areas. He noted his concern of a potential significant mistake to thrust upon the community a public information session with a set of design standards that were developed without public input. He said that the designation can occur with a more generalized Secretary of Interior Standards and further discussion can be take place including public input before the draft document is finalized.

Ms. Kristi Brantley from the State Preservation Office in Raleigh, North Carolina said that HPC Chairperson Plaag made a good point that the design standards from the Secretary of Interior Standards can be adopted before a local landmark is designated. She said that the design standards can be revised at a later time after receiving public input.

Ms. Kristin Brantley explained that her office has put out a "You Tube" 30 minute video that explains the Secretary of Interior Standards. She said she would send the video to Ms. Turner, if anyone would like to watch it.

Ms. Brantley asked HPC Chairperson Plaag if he had further questions on the process. HPC Chairperson Plaag noted that in past he had heard the Council and Town Attorney talk about their concern for the generality of the Secretary of the Interior Standards and issues that may arise in a quasi-judicial prospective and in trying to apply those generalized standards.

HPC Chairperson Plaag said the Council has approved some substantial changes for zoning requirements in the Unified Development Ordinance as a result of the CAC and HPC working on their respective standards. He pointed out that some of the Downtown business owners have already been living with some of the core aspects of the design standards that will be included in the draft design standards document. . Chairperson Plaag thought the Secretary of Interior Standards could be part of the standards for the Historic District. Ms. Brantley pointed out that the reason her office emphasizes the Secretary of Interior Standards is because it is a foundation. She said if Boone obtained COG status any historic rehabilitation tax credits would be governed by the National Park Service.

Ms. Shook noted that she agreed with HPC Chairperson Plaag regarding the transition of the work of CAC and HPC to work simultaneously on their respective design standards because of the change in development in the Downtown area is causing concern because of the destruction of buildings. She explained that about two years ago a stop-gap measure was put in place while the work of the CAC and HPC was going on.

Ms. McDonald explained that the Secretary of Interior Standards were created for review by National Park Service Staff and SHPO Staff for alterations or changes to property that are National Register listed.

CAC Chairperson Williams asked HPC Chairperson Plaag, if he was suggesting that the CAC not work on multiple zones because it could be potentially detrimental to both the work of the CAC and HPC. HPC Chairperson Plaag explained that he has always been concerned particularly with the Historic Core and noted that there will be another joint meeting to discuss possible conflicts. HPC Chairperson Plaag noted that he felt that his concerns can be solved with further discussion. HPC Chairperson Plaag said that he agrees with the two B1 Downtown zoning districts. He noted that he doesn't want two sets of guidelines that are confusing to a property owners. HPC Chairperson Plaag said he thinks any confusion can be solved by making the CAC's core standards as close as possible to what we anticipate for the historic districts Downtown Standards and also acknowledging the Historic District's standards have not yet had any public feedback and may change over time.

Ms. Shook explained that the CAC has submitted to Council for their review, the proposed zoning district changes that they have been working on. She said that she agreed with HPC Chairperson Plaag on how the CAC's standards were developed. She added that at the same time one of the main premises for the Downtown Core is the preservation and protection of the Downtown area. She pointed out that the Historic Guidelines cover some of the Downtown Core and Downtown Interface Area. She said because of the way the districts are set up, a different type of evaluation had to be completed on where and how to apply those standards. She noted that the things that you would like to see protected in the Historic District which were eligible to be included in the survey, may not necessarily want that type of density or type of element in the B1 Downtown Core or B1 Downtown Interface.

Ms. Shook explained that since both the CAC and HPC's work is coming to an end at approximately the same time that the Town will need to be careful on how the Guidelines are presented for public input and the way that additional public input is gathered. She said that she feels that both the HPC and CAC standards should be the same, especially, if we adopt a district with only the Secretary of Interior Standards.

HPC Chairperson Plaag explained that there are two things that can help with the evolving of the standards. He said to the best of his knowledge he knows of only two buildings in the proposed Historic District that lie in the B1 Downtown Interface area which are the Watauga County Courthouse and the Stanley Harris Apartments on Queen Street. He said if the CAC was willing to include these two properties as part of the B1 Downtown Core, this would immediately eliminate one of the areas of confusion of a strange overlap. He explained what he means, is that he does not want to see contradictions. He further explained that the CAC guidelines are very thorough and comprehensive; but do not get into the details that the HPC Guidelines cover. He said the CAC Guidelines are a good starting place for what is defined as the B1 Downtown Core and are appropriate for all of the buildings that are located in it. He said he just wants to make sure that through the review process that there's nothing in the CAC's Guidelines foundational level of standards that will create a potential conflict with the more specific standards that will likely emerge for the actual Historic District.

Ms. Allison Meade, Town Attorney noted that she thought that it would be clear that the Guidelines on the HPC/COA process would be applied to a project and those Guidelines would apply and prevail to the exclusion of any CAC Guidelines. Ms. Shook noted that there might need to be some proposed text changes to the UDO to show that the Historic District Overlay will control a project on design.

Mr. Johnson explained that in UDO Section 26.02, the text explains the relationship to other regulations. He said the CAC did propose text as a caveat that basically is an exception that states that the Historic District Overlay standards would trump the CAC Guidelines.

Ms. Meade pointed out that the Planning Department wants to be in the position to tell any property owner which set of Guidelines that will apply to them.

Ms. Shook asked Ms. McDonald if she had any guidance on how the process should move forward with both of the work products. Ms. McDonald responded and said she would emphasize transparency and predictability to the greatest degree possible. She said her concern is that the two boundaries do not align. She said the Historic Guidelines will apply to most of the B1 Downtown Core but not all of that district as a whole. She said there are some properties in the B1 Downtown Core that are not subject to the Historic Overlay. She said the Watauga County Courthouse and Stanley Harris Apartments that are in the B1 Downtown Interface but will be subject to the Historic Overlay. She said she could see property owners in these two areas being confused with the proposed zoning district changes. She said that both work products should be clear enough for any new Staff members or new Board of Adjustment members can understand it.

Council Member Furgiele pointed out that the HPC was created about 20 years ago or longer because there was an expectation and a hope from the Community at large at that time; that the Town would move quickly to try to protect the Downtown which was clearly being destroyed at a fast pace. He explained that the Community usually learns about the regulations of the Town not from the UDO but from meetings with the Planning Staff which occurs on a parcel by parcel basis. He said he did not see anything changing, if we move forward with these two work products. He said in terms of the non-overlap, he thought the HPC believed that there are a lot of properties that fit the general notions of what we consider historic in the Town. He said because the HPC was told that there had to be a rectangular shaped Historic District this shape could not easily be reached. He further explained that there were discussions on whether it was appropriate to have a Historic District on one side of the street but not on the other side of the street. He further explained that with the encroachment of the University into the Downtown where the Town has essentially no control over it and cannot be put in the proposed Historic District. He said he felt it is important to move forward and the public will be able to figure out what they need to do by meeting with the Planning Staff.

CAC Chairperson Williams talked about the properties on the western end of Town and explained that it was the understanding of the CAC that there was some desire from the HPC for the Watauga County Courthouse to not be included in the Historic District as well as the some other properties on the western end of Town.

HPC Chairperson Plaag said that he agreed with CAC Chairperson Williams and explained that initially the HPC did not want to include the Watauga County Courthouse and the Stanley Harris Apartments in the boundary. He pointed out that the Stanley Harris Apartments are an excellent example of the last phase of the period of significance in the Downtown Boone District. He explained that the odd situation of where the Stanley Harris Apartments was located was one parcel apart from the other buildings on that side of King Street with the courthouse, which is a later building in between. He said that in the designation report, the courthouse is listed as a non-contributing parcel within the district. He said it is necessary to include it in the district because the SHPO does not like to see islands unto themselves as an overall district. He said this also means

that as a part of the historic district, the courthouse property is always subject to evaluation, especially, if there is ever new construction on that site. He said it becomes subject to the Historic District standards in that area. He said that standards can be designed to include flexibility for non-contributing properties versus contributing properties. He said that he does not think the Town wants to surrender the courthouse property given its significance to the Downtown area as a whole, when it should be considered part of the Historic District. He talked about the courthouse being moved to another location, and how should this parcel be treated given its proximity to the buildings across the street and buildings to the east of it that are historically significant. He confirmed that CAC Chairperson Williams was correct about the evolution in the HPC's rationale about extending that boundary that came after the CAC has set its boundary for the B1 Downtown Core. He noted that it was later in HPC discussions that they decided to extend their boundary.

Mr. Ward asked Ms. McDonald if the SHPO office offers any guidance or resources, when it comes to the cost of implementation, as a result of the quasi-judicial process. He explained that the HPC meetings would be shifting from afternoon meetings to evening meetings, the Town Attorney would need to attend the meetings, and the need for a different level of training would be also be necessary for said process.

Mr. Ward also asked Ms. McDonald if there was any guidance from the SHPO regarding if there is a way to anticipate the number of permits that are normally processed in Downtown Boone and how it will impact the Planning Staff. Ms. McDonald said that she did not have an answer for this question. Ms. McDonald suggested placing this question on the North Carolina Preservationists ListServe who may track this type of data and another resource is the National Alliance Preservation Commissions which helps connect people which also offers training. Ms. Brantley said that this type of activity is not tracked and the SHPO does not have information on it. Ms. Brantley said she could provide Mr. Ward with some contact information from other people across the State of North Carolina who have experienced the same kind of similar circumstances.

Mr. Ward said whichever sequence we choose to move forward on through further discussion, we will also have to have possible discussions on how we can fund the proposed changes as we are moving forward. He said it will be a key budget discussion, as we move forward with the implementation of it.

Ms. Shook confirmed that further discussions need to occur regarding the content and boundaries. She said that at the August 2020 Council meeting, the Planning Staff informed Council that they had identified the next steps and the Town Attorney review for both work products. She confirmed with the SHPO representatives that CAC will only be making recommendations and will have no authority once the proposed zoning district change has been adopted. She further talked about how to implement public input and the public hearing process.

Ms. Shook presented a website model that Chapel Hill, North Carolina is using for their Historic District. She explained that Chapel Hill is using a journal map which is a tool that contains text that could be used to explain the process. She reviewed the benefits of using the journal map. She demonstrated how the journal map works by moving through the text with the maps. She said that videos and various PDF files can be embedded into the journal map. She said the journal map has the ability to add links with information about Downtown properties.

Ms. Shook explained the story map is a tool the Planning Staff used when they created the "*building height study*" in the B1 Central Business District. She noted the story map is a parcel by parcel inventory that shows a photo and the information about that parcel. She said this tool could be used to help explain the proposed changes to the public. She said that any information regarding the proposed zoning district changes can be

added into the story map. She suggested that the public would be able to review the information online prior to attending a public meeting.

Ms. Shook pointed out that earlier in this meeting the Beasley Broadcast Building was not mentioned but it is located in the Downtown Local Historic District. She said this building was not included in the work of the CAC because it is zoned U1 for the University and the CAC's work did not include any U1 zoned properties.

Mayor Brantz asked Ms. Shook if the Planning Staff is ready to inform the larger public now. She explained that it depends on if Council wants to move forward and get public input now or do revisions as we move forward, or if Council would like for the CAC and HPC to meet to get some fundamental comparisons. She asked if either the CAC or HPC disagreed. CAC Chairperson Williams said that he does not disagree but he preferred if some of the inconsistencies could be worked out to reduce any confusion prior to the information going public. He said he does not see the inconsistencies as being a large problem and feels these inconsistencies can be worked out and will not hold up the moving forward with the preservation of the Downtown area.

HPC Chairperson Plaag said one possible solution to the time line is if Council is willing to use the Secretary of Interior Standards as the design standards specifically for the Historic District, we could move forward fairly quickly with the public input and designation process for the Historic District and might be able to complete it by the end of the year. He said since the draft document has already been seen by the public, the draft designation report could be made available for review by the people who are participating in public comment or to receive feedback about the proposed Historic District at the same time that legal review is being done on the draft designation report. Ms. Shook said that her concern with his suggested approach is that if we in a few months go through a public input process and tell the public that certain standards are going to apply. She said that when you follow up a month or two later and you have revised changes to explain to the public, it potentially might cause confusion.

Council Member Furgiuele asked Ms. Shook since the proposed information has been in the public eye for some time now, has the Planning Staff received any negative feedback from property owners on the two work products. Ms. Shook said that the Planning Staff has not received negative feedback. Ms. Shook asked Ms. Lane Moody, Downtown Boone Development Coordinator, if she had received negative feedback and she had not.

Mr. Ward said that he had three individuals who contacted him and gave input to him and not to the Council regarding additional layers of regulation and steps that would further delay improvements in the Downtown area. He said he had some extensive discussions with the individuals that contacted him regarding plans that he thought Planning and Inspections Staff would be able to alleviate some of their delays and concerns. He said after he explained that the Planning and Inspections Department could help them, they still saw the proposed changes as additional layers of regulation being placed on businesses. He said he also explained to them about tax values, property preservation and historic tax credits. He said that he feels that there has not been enough level of detail about the proposed work products shared with the public for them to come together to have a solid discussion. He said that there is a component of the business owners in the Downtown area that will see the proposed work products as additional regulation. He said he feels that we need to be prepared for this type of discussion, when it comes.

Mayor Brantz called for a short break at approximately 8:03 p.m. He reconvened the meeting at approximately 8:12 p.m.

Ms. McDonald explained the benefits of designations. She said that Boone does not have a National Register Historic District. She said that National Register Historic Districts are far more common across North Carolina and across the country than Local Historic Designated Districts. She said this is because National Register Historic Districts are a federal program of the National Park Service and are not inherently regulatory because it is an honors program. She said the Downtown Boone United States Post Office and the Jones House are both listed in the National Register of Historic Places as individual resources. She said that the SHPO has over decades consulted with constituents in Boone whether it be Staff or elected officials or individual business owners and advised that Downtown Boone is currently not eligible to be listed in the National Register of Historic Places as a Historic District. She said the reason is because of the incremental changes to the buildings over time.

Ms. McDonald said to be a Local District it is not necessary to be National Register properties. She said a lot of places are both. She said the National Register listing for individual properties is what makes the eligibility for the rehabilitation income tax credits. She explained that this is a program of the National Park Service where the Secretary of the Interiors Standards are used to implement. She said currently the 99 percent of the properties in Downtown Boone cannot get the rehabilitation tax credit because they are not individually listed or part of a historic district. Ms. McDonald said the rehabilitation tax credits are not available for properties that are in a locally designated historic district only. You have to be in a National Register District.

Ms. McDonald explained that as the historic character of Downtown Boone is improved through incremental changes that occur over time that comply with the design standards, the integrity is improved and will ultimately reverse those issues that made it ineligible for the National Register. She reiterated that the tax credits are not an incentive for local designation.

Council Member Furguele stated his concern that in this meeting a lot of opposition has been predicted, when we have not had a public information session on it. He suggested moving forward with both processes at the same time to reduce further confusion. He suggested letting the process take its course and adjust to any responses that might occur.

HPC Chairperson Plaag agreed with Council Member Furguele's comments. He also talked about the value of bringing members of the public to the information sessions that share the benefits of having a historic district.

Council Member Ulmer thanked Ms. McDonald for talking about the importance of the public engagement process. She also noted that she agrees with Council Member Furguele and HPC Chairperson Plaag's comments.

Mayor Pro-Tem Clawson said that she felt that it is time to move forward but she was not sure if we need to proceed with both work products at the same time.

Mayor Brantz talked about the CAC and HPC having a meeting to work on inconsistencies. Ms. Shook confirmed that there was consensus from the CAC and HPC to move forward with a joint meeting to discuss content and boundaries. Ms. Shook suggested inviting the HPC to come to the next CAC meeting to discuss said topics.

Ms. Shook asked everyone present if they have the journal and story maps as tools to help explain the proposed changes. She said it takes time to create the maps and would need to know, if the Staff should begin working on them.

HPC Chairperson Plaag said the HPC has already planned on discussing any inconsistencies at their next meeting. He said after that meeting the HPC would be prepared to attend a joint meeting with the CAC to discuss the inconsistencies together.

HPC Chairperson Plaag said in terms of expediency, it would be helpful if Council directed Ms. Meade to begin the legal review of the designation report because that will not affect any substantial proposed changes that might be made at the CAC and HPC discussion made at the October joint meeting. He said that Ms. Meade could express any concerns to the Planning Staff before the Designation Report is submitted to the SHPO for their review of it.

HPC Chairperson Plaag said that after the CAC and HPC have come to a consensus on the work products, he said that Ms. Meade could probably begin the review of them too. Ms. Meade said that her review of the designation report would be a fairly quick process. She said the review of the work products are extremely extension and the sooner she can begin reviewing the better and she could begin the review as soon as possible.

Ms. Brantley said that normally the local designation report would be submitted to the SHPO for review before it goes to Council and they have 30 days to review it based on the rules of the enabling Legislation and they offer comments that are non-binding. She said the SHPO comments are usually considered before the draft report is submitted to Council.

HPC Chairperson Plaag explained that the Town Staff and the HPC because of our local ordinances are not able to speak for the Town without direction from Council.

HPC Chairperson Plaag explained that with the local landmark designations, they send the draft report to Council with a recommendation to send the draft report to the SHPO. He said based on Council approval, the draft report is sent to the SHPO for their review and then to Council.

Ms. Meade said there has already been a presentation to Council of a Historic District report. She said she thought that Council approved said report and directed that preparation be made for a more concentrated form of that draft report that would be sent to SHPO. She said she thought that Council may have already approved that submission. Ms. Shook explained the draft document was sent to Council in August of 2020 as a consideration of the designation report, Ms. Shook said that action by Council was not taken on the designation report at that time. Ms. Shook said the draft architectural survey, draft design guidelines and the draft designation report were sent to Council for their review. Ms. Shook further explained that after final review of all the draft documents in the process, we were lacking final authorization of the survey report and designation report. She noted that the survey report is now complete.

HPC Chairperson Plaag suggested if it is appropriate to ask Council to give direction to Staff to send the survey report immediately to the western office of the SHPO for their review of it. He said the report is ready to be submitted except for the list of the properties that he and Mr. Chris Miller, GIS Specialist are still working on. Discussion ensued on amending the meeting agenda to add an action item. Council Member Furguele asked Ms. Meade if the meeting agenda could be amended to consider giving instructions to Staff on submitting the designation report to SHPO for review and for the HPC and the CAC to meet with Council at the next CAC meeting and ask that Ms. Meade begin her review of legalities of the various documents that have been drafted. Ms. Meade said the sending of draft designation report to SHPO is so closely related to the other generalize topics of discussion at this meeting, therefore, she said that she would feel comfortable with Council amending the agenda to add these topics.

Motion and Vote:

Council Member Furguele made a motion, seconded by Mayor Pro-Tem to amend the agenda to add three action items.

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

Motion and Vote:

Council Member Furguele made a motion, seconded by Mayor-Pro Tem Clawson to amend the joint meeting agenda to consider giving instruction to the Planning Staff to submit the designation report to the State Historic Preservation Office and for the Historic Preservation Commission, Community Appearance Commission to meet with Council at the next Community Appearance Commission meeting to discuss possible inconsistencies in the work products of the Community Appearance Commission and Historic Preservation Commission and to direct Ms. Allison Meade, Town Attorney to begin the review of the various draft documents.

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

Ms. Shook noted that the next Community Appearance Commission meeting is October 27, 2020 at 5:30 p.m. and it will be a virtual meeting.

Council Member Furguele and Council Member Ulmer noted that the previous story map that was created for the review of the building heights was a very helpful tool.

Ms. Shook said that the Planning Staff will begin the work to build the story map and will contact the HPC, when they are ready to work on their work product.

HPC Chairperson Plaag said that in the draft designation report there is already a map that shows the boundaries of the proposed districts. He said that he and Mr. Miller have been working on a map that tags each parcel with the survey number associated with it. He asked Ms. Brantley, if she needs this type of information to do the review or insert it once the work is completed. Ms. Brantley, said that her office will need the initial map that you already have. Ms. McDonald said just having a map that shows the boundaries will be sufficient.

The Council Members and Ms. Shook thanked Ms. Annie McDonald and Ms. Kristi Brantley for their attendance in this virtual meeting.

Ms. Shook said that the Planning Staff would update the maps presented at this meeting and include them in the next joint meeting packet.

ADJOURNMENT

Mayor Pro-Tem Clawson made a motion, seconded by Council Member Ulmer to adjourn the meeting at 8:45 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

**TOWN OF BOONE
COUNCIL, COMMUNITY APPEARANCE COMMISSION, HISTORIC PRESERVATION COMMISSION &
STATE HISTORIC PRESERVATION OFFICE
JOINT MEETING MINUTES
TUESDAY, OCTOBER 27, 2020 at 5:30 P.M.**

COUNCIL MEMBERS:	Rennie Brantz, Mayor, Loretta Clawson, Mayor-Pro Tem, Connie Ulmer, Nancy LaPlaca, Sam Furguele and Dustin Hicks
CAC MEMBERS PRESENT:	Chairperson Brian Williams, Vice-Chairperson Sarah-Davis Cagle and Maggie Trumpower
HPC MEMBERS:	Eric Plaag, Chairperson, Vice-Chairperson Phoebe Pollitt, Bettie Bond and Chuck Watson
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections, Brian Johnson, Urban Design Specialist, Christy Turner, Senior Planner, Mike James, Senior Planner and Marlene Crosby, Board Secretary
OTHERS PRESENT:	John Ward, Town Manager, Allison Meade, Town Attorney, Lane Moody, Downtown Boone Development Coordinator, Chris Miller, Town GIS Specialist

CALL TO ORDER

Mayor Rennie Brantz called the joint meeting of the Council to order held online via WebEx, a video conferencing software at 5:35 p.m.

Community Appearance Commission Chairperson Brian Williams and Historic Preservation Commission Chairperson Eric Plaag called their respective boards to order at 5:35 p.m.

Approval of Agenda

Council Member Nancy LaPlaca made a motion, seconded by Council Member Connie Ulmer to approve the agenda as written.

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

Ms. Jane Shook, Director of Planning and Inspections began discussion by reviewing what occurred at the last joint meeting on September 30, 2020. Ms. Shook said the Staff provided introductory presentations for both work products on the work of the Community Appearance Commission and Historic Preservation Commission along with the input of the State Historic Preservation Office (SHPO). Ms. Shook said at that meeting, it was decided to have another joint meeting to discuss and identify any possible changes to the work products and what the next steps in the process would be. Ms. Shook explained that the Staff provided hard copies to the Council and Commission members that included maps created by Staff that included both work products.

Ms. Shook began the discussion by asking, if there were any questions or concerns of the Council, CAC or HPC that anyone would like to discuss. Ms. Shook asked if map boundaries or text should be discussed first. CAC Chairperson Brian Williams suggested discussing the map boundaries first.

Discussion ensued on the boundary maps. CAC Chairperson Williams referred to packet page six and seven of the meeting packet. He talked about a couple of properties that were not included in the B-1 Downtown Core located just south of Gragg Street. He said the properties are known as the Nathan Walks Apartments which is referred to as the Stanley Harris Apartments by the HPC and the Watauga County Court House.

CAC Chairperson Williams noted that the CAC included more properties on the eastern side of Town. He referred to page seven of the meeting packet saying that all of the proposed properties are listed on this map.

Historic Preservation Commission Chairperson Eric Plaag summarized the concerns regarding the properties that CAC Chairperson Williams talked about. He explained that the HPC included the said properties because the HPC wanted to avoid the problem of there being properties included on one side of the street and not the other side of the street in the district. He noted that the SHPO prefers that this scenario not occur. He explained that on the Queen Street side the Stanley Harris Apartments does fall into the period of significance outlined in the survey of the district designation report. He said the other parcel is the Watauga County Courthouse parcel which is not a contributing property for purposes of the historic district. He said it is a very important parcel that he would think going forward that the Town would want to include to have some control over it in the long term, especially if County decides to sell the Courthouse property. He said this could help the district as a whole to have some say in the development of said property; since the said property is within close proximity of the historic district. He added that he did not think adding these said properties would harm the work of the CAC. He said he is open to their feedback on it. He welcomed feedback from the HPC members on these topics.

CAC Chairperson Williams said that one thing that the CAC considered, when they were looking at properties in the B1 Core versus the B1 Interface was where they fronted on the back side of the lot. He talked about the properties that front Wallace Circle, in particular the two properties that are shown in the darker pink on the map which front on Wallace Circle. He said the CAC chose to make these two properties B1 Interface because they would have a larger setback which would alleviate some of the concerns about what it could do to residential properties around it.

Ms. Shook identified that the purple hash mark on the map is the proposed boundaries for the proposed historic district overlay. She said the light pink on the map represents the proposed B1 Downtown Core and the dark pink on the map represents the proposed B1 Downtown Interface.

Ms. Shook explained that the B1 Downtown Core is a more traditional lot line to lot line type construction. She further explained that the B1 Downtown Interface is very similar, but it requires a street setback.

Ms. Shook talked about her concern for the impact of potential development on Queen Street, if the Wallace Circle properties were included into the B1 Downtown Core.

HPC Chairperson Plaag explained that there has been a courthouse on that site since 1905. He said that he could not think of a parcel that would be more representative of the B1 Downtown Core than the courthouse site given its significance to the Town. He also noted that the Stanley Harris Apartments does fall into the period of significance to the district.

Ms. Shook asked if anyone disagreed with the Staff moving the Stanley Harris Apartments and Watauga County Courthouse properties into the B1 Downtown Core. Ms. Shook noted that the Council has looked at the uses in the B1 Downtown Core that may not be allowed in the B1 Downtown Interface and vice versa. She said the uses may need to be reviewed again by Council. She noted that the uses in the B1 Downtown Core are narrower.

CAC Chairperson Williams said he thought it was important to note that when building to the lot line the only difference is the front setback is different. He said in the B1 Downtown Core and the B1 Downtown Interface, it would be allowed to build from side to side all the way to the lot lines. He said the one difference would be that in the B1 Downtown Core you could build all the way to the front lot line.

Council Member Furguele asked Ms. Shook if it is correct on the two properties that back up to Queen Street that the normal interior setback would have to be recognized or the setbacks if they were fronting on King Street and recognize the setbacks of the adjacent lots or could they go all the way to Queen Street. Ms. Shook explained that in Section 26.05.02 it is true for the interior setback for both the B1 Downtown Core and the B1 Downtown Interface. She said that Subsection A controls the B1 Downtown Core and Subsection B controls the B1 Downtown Interface.

Ms. Meade noted that the HPC guidelines do not seem to have setbacks but note that the setbacks should match other historic properties that are adjacent. Ms. Meade asked if other standards could apply by the HPC standards, they could trump the CAC standards in areas of potential conflict or ambiguity. Ms. Shook confirmed that the HPC Standards will clearly trump and the underlying district will control.

Ms. Shook asked HPC Chairperson Plaag about the setbacks in the Downtown district where the development covers the entire lot and the structure goes to the street. HPC Chairperson Plaag said he would need to review the language on massing of buildings. He said typically in historic design standards, you are designing standards that fit the historic uses or appearances of a district. He suggested to incorporate setback and building height requirements into the historic district standards. He said the HPC was not focused on this topic, when the HPC was developing their proposed historic design standards. He said this topic is usually not thought about in the preservation world necessarily other than in terms of the historic appearance of the district and buildings in relationship to one another.

Ms. Meade asked if there needs to be overlap between the Historic District and the B1 Downtown Core. Ms. Meade said could there be a discreet overlay district where there is the Downtown Historic District in the area that is in the B1 Downtown Core. Ms. Meade said would it be necessary to maintain the overlap of the B1 Downtown Core and the Historic District to make sure we have appropriate regulation of the Historic District. Ms. Shook asked Ms. Meade, if she was suggesting that the Historic District be its own zoning district. Ms. Shook said the ordinance allows it to be its own zoning district. Ms. Shook said the pros and cons of the potential overlap has been previously discussed where the Historic Overlay does not match what the underlying zoning is. Ms. Shook said from the CAC's side the reason is because the Historic District is limited to the properties that can be included.

Ms. Meade reiterated her question to Ms. Shook asking about the areas that are in the Historic District, and is it necessary for them to also be in the B1 Downtown Core. Ms. Shook said yes with the work product that is prepared today. Ms. Shook pointed out that the HPC's work product is only covering the design guidelines.

Ms. Shook said the Staff would need to pivot and merge the HPC's work along with the CAC's work to make the district. Ms. Shook also noted that there would need to be a local historic district zoning

HPC Chairperson Plaag said he has always had a concern about having two zoning districts and an Overlay. He said what Ms. Meade suggested in this meeting resolves his concern. HPC Chairperson Plaag noted that he thought a Downtown business owner would appreciate having only one set of regulations to follow in the location of their business.

HPC Chairperson Plaag pointed out that a Historic District has to have a historic significance and a historic context by which the district is defined.

Mr. Johnson said that in the virtual meeting that he and Ms. Turner had with Ms. Annie McDonald from the SHPO in Asheville, North Carolina, he said Ms. McDonald wanted him to explain why the properties were not

included on the boundary map from the east of Grand Boulevard to the south of Wallace Circle. Mr. Johnson said he understood from Ms. McDonald that these properties could not be considered contributing to that district. Mr. Johnson asked if this is a possibility. HPC Chairperson Plaag explained the reason that the HPC decided to exclude the properties, he said it had to do with the SHPO preferring for properties on both sides of the street to be included. HPC Chairperson Plaag said if the CAC was willing to include the Turchin Center and the First Baptist Church, it would work.

CAC Chairperson Williams confirmed with HPC Chairperson Plaag that the HPC Historic Design Guidelines do not include language for landscaping, retaining walls or building height. CAC Chairperson Williams asked if these types of things could be easily included into the historic guidelines for the Historic District.

Council Member Furguele asked in terms of procedure, what position does this proposed pivot put the Town. He noted that these two work products have been in the works for years and now there may be a potential of six months or longer added to the process.

Ms. Meade explained that she was not proposing an expansion to the Historic District, she said she was thinking about not overlapping the B1 Downtown Core but allowing that the Historic District to stand on his own entirely. She said going this route would not require going back to SHPO in any fashion. She said zoning type regulations would be added on top of the Historic District guidelines that would govern that district. Ms. Meade further explained her concern with having both the Historic District guidelines apply and having the B1 Downtown Core regulations apply. She said there is a potential for ambiguity between these two types of regulations.

HPC Chairperson Plaag talked about Section 15 on spacing, height and width and setback requirements. He suggested incorporating any standards for any size of Historic District that the Town chooses and incorporate them into the HPC's design standards. He said when the HPC reviews a Certificate of Appropriateness application the HPC would receive guidance from Staff. He said the standards could be defined by saying that the setbacks should follow what historically has occurred on the property.

HPC Chairperson Plaag said if the decision was made to go with the expansion of the Historic District, he said the current draft designation report would need to be revised to expand the territory of the proposed Historic District and contextualize some of those buildings on for example hippy hill to the rest of the designation report. He said this could be easily done because the properties have already been surveyed. He said that every building on both side of the street from Appalachian Street to College Street have either been surveyed or is too young to have been surveyed to be a contributing property.

HPC Chairperson Plaag said that Ms. Meade's suggestion would also work by making the Historic District one classification and making the light colored pink properties on the map be the B1 Downtown Core and the darker pink properties on the map be the B1 Downtown Interface.

HPC Chairperson Plaag noted that he does not have a strong opinion about the possible solutions discussed in this meeting. He said he would like to hear from the other HPC members on these possible solutions.

Council Member Furguele noted that there has not been a conversation that defines the uses in the Historic District. He said the B1 Downtown Core and B1 Downtown Interface have a list of uses that are available. He also noted that he thought the Historic Design Guidelines had to be reviewed by the SHPO before they were adopted. He noted his concern for the possibility of the two work products not being completed by the time new Council members come in at the end of 2021.

Ms. Meade explained that it was her understanding that the SHPO did not have to review or sign off on the Historic Design Guidelines; but they would have to approve the actual Historic District.

Ms. Meade said that she thought the uses in the B1 Downtown Core could be brought over into the Historic District.

Ms. Shook said that if everyone is in consensus with considering a pivot in the process of the two work products, we have statutory authority to make the Downtown Historic District an actual zoning district which would have use classifications in it. Ms. Shook said the easiest solution would be to expand the Historic District and to include the areas agreed upon into the Historic District; and keep the B1 Downtown Interface Area.

Ms. Shook pointed out that as a result, of the discussion with the SHPO at the last joint meeting it was discussed to get public input before adopting the Historic Design Guidelines. Ms. Shook said an option would be if the Council adopted the Historic District design guidelines, they would not have to be finished because the HPC has approved a portion of the Secretary of the Interior Standards to apply until the Historic Design Guidelines are adopted. Ms. Shook said the HPC has the Secretary of the Interior Standards to apply on the two Landmark properties in the Town of Boone.

Ms. Shook said if it is decided to pivot the Staff's recommendation would be to merge the Historic District and the B1 Downtown Core language together and not change the B1 Downtown Interface language.

Discussion ensued on presenting the information to property owners. Ms. Shook explained that the Staff has been discussing how they would present the information to the property owners with the least amount of confusion. She said if the Staff tells the property owners that their property is being rezoned with not all of the standards in place would this cause an issue. She said if we pivot does this mean that all of the design guidelines are worked into the document at the same time of the rezoning. HPC Chairperson Plaag explained that we currently have a set of B1 design standards that are specific that use as their foundation the Secretary of the Interior Standards and they expand into some specific things about specific building materials and other things that are already in the Unified Development Ordinance. He suggested that the Staff handle this by saying that for the immediate future the default guidelines will be the current B1 guidelines which are a combination of the Secretary of the Interior Standards plus other standards that are already in effect for the B1 that would apply to the B1 Downtown Core. He said to the best of his knowledge all of the properties that have been discussed are already in the B1 because these properties were surveyed to the boundaries of the B1. He said the only property that was not in the B1 was the Linney House. He said the architecture is already in place to be able to say to business and property owners that the Town is thinking of adopting a Historic District with the current B1 guidelines that are in affect. He also said that the Town will look to further revise these guidelines to be more specific and more responsive to the variations of the types of properties that we have within what will be the district. He said this would not require a negotiation over the initial set of standards because they are standards that everyone who is in this area are already living them. He said when the more specific set of guidelines are discussed on things like screening of roofs and adding solar equipment to roofs; there would need to be a community dialogue over several meetings. He said if the pivot occurs you will begin from a place where people are really seeing a change in name that is beneficial to them as business owners. He said in terms of on the ground change, the only change is there will be a quasi-judicial COA process. Council Member Furguele responded by saying that you cannot just expand the Historic District because someone has partitioned to have the advantage of the Downtown standards. Council Member Furguele said that some B1 Interface areas could develop like the B1 Downtown Core particularly around Earthfare. Council Member Furguele noted that the stores before they were torn down fronted the street at the Dan'l Boone Inn and he said essentially this is being prevented from happening again unless a whole new district is created. Council Member Furguele said one of the things that he saw with the B1 Downtown Core and Interface was the ease of potential expansion.

Mayor Pro-Tem Clawson asked if when the Historic District is approved will it be able to expand or will it stay the same. Ms. Shook said if it is in an Overlay, it will always stay the same. Ms. Shook said that since the

Town has not had a Historic District before, she is not familiar with the maintenance of the boundaries of a Historic District. Ms. Shook noted that Wilmington, North Carolina has two Historic Districts, and they have Overlays in addition to their actual zoning districts. Ms. Shook said that boundaries can potentially be modified per the general statutes. Ms. Shook said whatever language is built in, there might need to be a modification done to the Comprehensive Plan regarding the importance of the district. Ms. Shook said this is something that is reviewed, when applicants request for the rezoning of properties.

HPC Chairperson Plagg responded to Mayor Pro-Tem Clawson's question regarding the expansion of the Historic District. He said that the Historic District boundaries can change. He said there might be properties that have their underlying historic components that are obscure in some way and they may not be included in a district. He said then a property owner comes along and buys that parcel and takes the exterior material off of a building and the building begins to look like itself again. Then a municipality decides that they want to expand the district and they want to include that parcel. He said sometimes a district can expand because the context has expanded. He said for example some Towns decide that they take a district up to a 50-year deadline and then they go another ten years, they decide they want to continue to tell the story to capture these ten years of development that happened on the east end of Town. He said they decide they are going to expand their Historic District to include the parcels that were not eligible because of the time limit; when the Historic District was originally created but are now eligible. He said this type of thing does happen in other municipalities. He said he doesn't think this is a resolution to the issue that Council Member Furguele has brought up in this meeting.

HPC Chairperson Plagg said a resolution to the issue that Council Member Furguele voiced might be a combination of the pivot and the expanding of the district and keeping the zoning districts separate from the Historic District Overlay. He said that it could be decided that the Historic District is the entire B1 Downtown Core but you still have a B1 Downtown Core zoning district with a Historic District Overlay with boundaries exactly the same as the B1 Downtown Core. He said that future changes in Boone could be expanded into parts of the B1 Downtown Interface by rezoning the additional properties which would not necessarily be a part of the Historic District Overlay but could be a part of the B1 Downtown Core.

Ms. Shook explained that more discussion and work may need to be done to resolve the boundary map issue. She outlined the three options for discussion that could be done and were discussed at this meeting. In the first option, she said we could continue in the direction the HPC and CAC were going prior to this meeting. In the second option, we could pivot and make two new zoning districts which would require the HPC to discuss the properties to be expanded into the Historic District. She said there would not be a B1 Downtown Core and the B1 Downtown Interface would remain as it is. In the third option, she said it would be similar to the first option which is to expand the Historic District and mirror the B1 Downtown Core in all areas.

Ms. Shook noted that the Staff has been directed by Council to make the two work products their number one priority. She said the Staff is committed to proceed with whichever option the Council would like for the Staff work on and complete with the current Council members that we have at this time.

Ms. Meade noted that she agrees with Council Member Furguele's point which is to maintain the B1 Downtown Core in a separate zoning district. She said as a compromise so the Staff can move forward as quickly as possible is to continue to move forward in the direction they were going and ask the HPC to look at either expanding the Historic District or to propose a second district to include hippy hill. She noted that SHPO might have some feedback to this proposal. She said this suggested compromise would not slow down moving forward with the two work products that is almost in place. Ms. Shook said the Town is trying to complete the two work products before we lose more properties in the Downtown area to re-development.

CAC Chairperson Williams asked if there was a way to divide the content of the two work products in a way that would help with Council Member Furguele's concern for someone wanting to realize gains from

increasing lot lines. CAC Chairperson Williams asked if the design standards could be given to the HPC and things like the setbacks and the retaining walls be placed in the B1 Downtown Core language. Ms. Meade responded saying, if we continue on the current route the Historic District guidelines will be for the Overlay district and will apply and the underlying language that is built in would apply to the things like setbacks and retaining walls. She said the only real difficulty will be the times that there will be some conflict or ambiguity because the two maps are so similar between the Historic District and B1 Downtown Core.

Ms. Shook said she thought it would be beneficial to include in the boundary map the contributing properties between Wallace Circle and King Street, if it is possible. She suggested moving forward with the third option which is keeping the Overlay, the B1 Downtown Core and B1 Downtown Interface. She asked if it was possible to include additional contributing properties to match the B1 Downtown Core.

HPC Chairperson Plaag said yes the contributing properties can be added to match the B1 Downtown Core. He further explained that all of hippy hill has been surveyed and would have been included in the HPC's original boundary. He said the HPC had discussed going all the way to College Street. He talked about a visit that he had with Ms. Annie McDonald from the Asheville, North Carolina SHPO. He said she met with him in late 2017 or early 2018 and walked the Town with him and pointed out some areas that she thought might be questioned, if some of those areas were not included in the HPC's boundary map. He said that his thoughts at that time were to just create a Historic District and not create a boundary that might have multiple features of resistance to what the boundary should look like and then end up with no Historic District. He said this is the reason that the HPC decided to end the boundary map at Appalachian Street.

HPC Chairperson Plaag said he could make option three work by revising the draft designation report and ask the HPC to approve on the proposed boundaries. He said the only issue he would have with it would be the two properties on the north side of King Street on hippy hill that are labeled B1 Downtown Interface instead of the B1 Downtown Core. He said from a historic perspective it would be absurd to exclude them because they are part of that context. He said one of the structures is a residential home and the other is commercial apartments. He said he would like to see them moved into the B1 Downtown Core so he can make a sensible context statement, if there is just going to be an Overlay over the B1 Downtown Core. He said another issue is the building at the northeast corner of Appalachian Street and Howard Street was not surveyed. He said that he can survey that building and include it as part of the B1 Downtown Core.

Ms. Shook asked everyone for their feedback on the proposals made at this meeting. She asked should we consider option three. She noted that the Staff is used to working with Overlay boundaries. She said if it is decided that we should pivot, the Staff would need to know now so they can start making the proposed changes. She said the HPC needs to know, because they will have additional work to do. She said that discussion is needed on the timeframe and the resources that the Staff would need to provide to complete their work.

HPC Chairperson Plaag asked Mr. John Ward, Town Manager if the proposed garage on the Peacock lot at Appalachian State University will take the two houses that are used as physical plant buildings. Mr. Ward said yes. HPC Chairperson Plaag said these two structures are labeled as the B1 Downtown Core. He said if the Historic District included these two houses, then there would be a possible demolition delay that would exist for those properties that are in a Historic District.

Ms. Shook said that from the CAC perspective, they had looked at removing all of the U1 properties. She said the two properties being discussed should probably be rezoned to U1. She said this is probably University properties that are being used for the University but are currently zoned B1. She said that the zoning of these two properties would have to be addressed along with the other properties that HPC Chairperson Plaag mentioned near Wallace Circle to make the two boundaries coincide.

Ms. Shook asked if everyone is comfortable with the two boundaries coinciding. CAC Chairperson Williams said that he does not want the boundaries coinciding to delay the work of the CAC and HPC since they have been working on it for so long. Mayor Brantz agreed that we need to push forward as much as we can to complete the two work products.

Ms. Shook asked HPC Chairperson Plaag how long it would take to do the work necessary to revise the draft designation report and to survey the one property that has not been surveyed. He estimated that it would take him about three hours in the field to survey the one property. He said it would take him about one day to do some title and deed research or newspaper research to find out, when that structure was built. He said the bulk of the work would be revising the draft designation report. He said he needed some guidance regarding the creating of the two zoning districts occurring at the exact same meetings that we are receiving public feedback. He clarified that if the proposed plan is to have a Historic District Overlay over the B1 Downtown Core that has the same boundaries. He said as long as there is consensus at this meeting to bring in the Watauga County Courthouse and include the two properties on Wallace Circle and the First Baptist Church and the Turchin Center. He said if this is the proposed plan, his work would take probably a month to do the work and he could probably have it prepared by the December 2020 HPC meeting.

Ms. Shook said she is understanding that potentially we are going to move forward where we are at now and revise the map to include the Watauga County Courthouse and the Stanley Harris Apartments, First Baptist Church and the Turchin Center.

HPC Chairperson Plaag explained that the zoning districts can be worked on at the same time there is public input. He suggested making an agenda item for next month to discuss having the public input sessions on the proposed zoning change. He said or you could wait for him to complete the draft designation report and let the HPC review it. He said these topics could be on the Council's December 2020 agenda as well. He said the new designation report, if approved could be used as the foundation of the Historic District. Ms. Shook said the Staff would probably need until December of 2020 to gather the work product that they would want to use in that meeting.

Council Member Furguele showed concern for the two houses on Wallace Circle being included in the B1 Downtown Core. He said the two parcels front on Wallace Circle. He said that Wallace Circle is one of the intact neighborhoods in the Town. He said the only way this area would be developed is if there was commercial development there. He said he sees this potentially bringing destruction to that neighborhood. He said he did not think a quick decision should be made to include these two parcels just to make the map work. He said that he was not sure, if there is a solution to protect the neighborhood from Downtown businesses from changing the nature of that neighborhood.

Ms. Shook asked if it was possible to allow Staff to work with the CAC and HPC Chairpersons prior to the next Council meeting in November of 2020 to discuss possible resolutions to the changes to the boundary map. She said that she understands Council Member Furguele's concerns and she has the same concerns with the Stanley Harris Apartments. She said the Staff after meeting with the CAC and HPC Chairpersons would report back to the Council at their November 2020 meeting with an itemized list of any known issues or conflicts that could not be resolved. She also said that HPC Chairperson Plaag will give a brief presentation on the potential expansion. She said the Staff would get direction on how to proceed with the two work products. She said at the same time from now until the November Council meetings, the Staff would continue to work on the journal maps and other items related to this topic.

Ms. Shook asked that if anyone had concerns regarding the proposed changes discussed at this meeting, she said that anyone can email their questions or concerns to the Staff and the CAC and HPC Chairpersons for their review. She said that she would coordinate a time for the CAC and HPC Chairpersons to meet with Staff.

Mayor Brantz confirmed that there was a consensus from the Council for the Staff to move forward with the proposed work products that were discussed at this meeting.

ADJOURNMENT

Council Member Connie made a motion, seconded by Mayor Pro-Tem Clawson to adjourn the Council Members at 8:45 p.m.

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

CAC Chairperson Williams made a motion, seconded by Member Trumpower to adjourn the Community Appearance Commission at 8:45 p.m.

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

HPC Chairperson Plaag made a motion, seconded by Member Bond to adjourn the Historic Preservation Commission meeting at 8:45 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

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
NOVEMBER 10, 2020
3:00 PM**

Historic Preservation Commission Members in Attendance:

Chairperson Eric Plaag, Vice-Chairperson Phoebe Pollitt, Bettie Bond, Chuck Watkins, Rennie Brantz and Loretta Clawson

Town Staff in Attendance:

Christy Turner – Senior Planner and Marlene Crosby-Board Secretary

Others Present:

Lane Moody-Downtown Boone Development Coordinator

Call to Order

Chairperson Plaag called the meeting of the Boone Historic Preservation Commission, held via WebEx, a video conferencing software to order on Tuesday, November 10, 2020 at 3:06 p.m.

Adoption of Agenda

Member Brantz made a motion, seconded by Member Clawson to adopt the agenda as amended by Chairperson Plaag's suggestion to change number eight Cemetery Regulations to Cemetery Deeds and adding a Lovill House Update after number eleven Town Website.

Vote:

Aye – All

Nay – None

The motion passed.

Approval of Minutes

Member Brantz made a motion, seconded by Member Clawson to approve the October 6, 2020 meeting minutes as amended.

Vote:

Aye - All

Nay - None

The motion passed.

Public Comment

No individuals requested the opportunity to speak during public comment.

Junaluska Marker

Communication: November 10, 2020 Meeting Minutes (Approval of Minutes)

Chairperson Plaag began discussion on this topic by explaining that Ms. Christy Turner, Senior Planner had received a call from Mr. Andrew Cole, a reporter with the Mountain Times newspaper. Mr. Cole told Ms. Turner that he was requesting comments from Chairperson Plaag regarding the Junaluska Marker.

Chairperson Plaag asked the Historic Preservation Commission, if they would approve him to speak with Mr. Cole to address his questions and comments on said topic.

Member Clawson made a motion, seconded by Member Brantz to give Chairperson Plaag permission to speak to Mr. Andrew Cole, a reporter at the Mountain Times newspaper who is requesting information regarding the Junaluska Marker.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson Plaag said that someone suggested having the Watauga Historical Society book event and the unveiling of the Junaluska Marker at the same time. He said there has been discussion on having the book event in February of 2020. He also noted that Black History Month occurs in February as well. He said that the possibility of having these two events together would depend on, if we get the Junaluska Marker in time. He asked Ms. Turner if she had an update on the Junaluska Marker. She said that Sewah Studios are still working on the Junaluska Marker. She said that Mr. John Ward, Town Manager is communicating with Mr. Deron Geouque, Watauga County Manager about the placement of the Junaluska Marker. She said that hopefully there will be an update on the placement of the Junaluska Marker at the next meeting.

Discussion ensued on when to unveil the Junaluska Marker. Chairperson Plaag asked the HPC what they thought about the unveiling of the Junaluska Marker in February of 2020. He said that it would be an outdoor event that would include the wearing of masks and social distancing. It said it would be helpful if the HPC asked the Town to close the intersection of Queen Street and North Depot Street for about one hour for said event. Member Brantz was in favor of having the event in February. Vice-Chairperson Pollitt said the weather can be unpredictable for that time a year. Chairperson Plaag said the alternative is to wait until later in the year of 2021, when there is also the risk of rain on a given day.

Ms. Turner said that if the HPC is proposing an intersection closure involving Town Streets, a motion would be required to get the request on the Council's agenda for approval. Ms. Turner asked the HPC if they wanted to put the intersection closure on the December Council agenda.

Chairperson Plaag suggested the HPC choose some possible dates for him to present to the Junaluska Heritage Association for the unveiling of the Junaluska Marker and get their feedback. The following dates were selected by the HPC to present to the JHA for the unveiling of the Junaluska marker: Friday, February 5, 2020, Friday, February, 12, 2020 and Friday,

February 19, 2020 for the proposed events. He then suggested that the motion include that the HPC is offering the three proposed dates to the JHA and to also request the closing of the intersection on the date that the JHA would prefer to have the unveiling of the Junaluska Marker. There was consensus from the HPC on the three proposed dates for the proposed events including the unveiling of the Junaluska Marker.

Ms. Lane Moody, Downtown Boone Development Coordinator noted that she is experiencing some meetings being moved to a virtual format as far out as March of 2021. Ms. Moody asked the HPC to let her know the date that is approved by Council and she will help get the word out through social media regarding the said events.

Chairperson Plaag suggested using an invitation process to include the JHA, HPC and Council and Staff to be limited to 50 persons. He also suggested asking Council for their direction on how they would want the HPC to proceed with the said events.

Motion and Vote:

Member Brantz made a motion, seconded by Vice-Chairperson Pollitt for the HPC to approve Chairperson Plaag to email representatives of the Junaluska Heritage Association and explain the situation of the possible 50-person limitation for the unveiling event of the Junaluska Marker on one of the three proposed dates, Friday, February 5, Friday, February 12, or Friday, February 19, in 2021. Chairperson Plaag said he would include in the email that this event would follow Covid-19 protocol and if they had rather wait until June of 2021 to have the event, when there may not be a 50-person limitation requirement.

Vote:

Aye – All

Nay – None

The motion passed.

Ms. Turner asked Ms. Moody, if the Town had a good quality camera to livestream the event. Ms. Moody said the Jones House might have this type of camera for their livestream events. Chairperson Plaag supported the idea of livestreaming the event.

Member Bond said if the February 2021 dates do not work for the event, she suggested the date of June 19, 2021 since it is being discussed to be a National holiday.

Motion and Vote:

Member Clawson made a motion, seconded by Member Brantz to request from Council how they would like to proceed with the unveiling of the Junaluska Marker based on the feedback that Chairperson Plaag gets from the Junaluska Heritage Association on the option of the February 2021 dates or the June 2021 date.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson Plaag said that Ms. Turner can prepare an action item request for the December 2020 Council agenda to ask for Council direction on the unveiling of the Junaluska Marker event. Ms. Turner said that she can ask the Town Clerk to hold a place in the Council agenda for this agenda topic.

Turner House

Chairperson Plaag asked Ms. Turner, if there was an update on the Turner House. She said that they are still working on the engineering of it. Chairperson Plaag suggested making the Turner House a recurring agenda item on the HPC agenda.

Council, CAC, HPC Joint Meeting

Chairperson Plaag explained that if he received an email about HPC business, he will reply back only to say that has received it because of open meeting laws. He talked about the emails becoming public record. He encouraged anyone sending emails to be careful about the information, they are including in an email. He suggested only including in an email the information that you would not mind anyone else reading.

Chairperson Plaag said it was helpful to have the joint meetings because it created some cohesion for what the real issues are. He said that the CAC approved Chairperson Williams and the HPC approved him to meet with the Planning Staff and they discussed and came to a consensus on many issues. He told the HPC that this is their opportunity to voice their questions or concerns, if they disagree with the proposed recommendations that he will review in this meeting, before Ms. Jane Shook, Director of Planning and Inspections sends all of the information to Council.

Chairperson Plaag reviewed the proposed boundary changes. He explained that there are two distinct processes being reviewed.

Chairperson Plaag said the first process would mirror the current B1 and it would be called the B1 Downtown Core. He said the second process would be to extend King Street in either direction outside of the Core. He said this process is separate from the creating of a Downtown Historic District. He said it became apparent that both of the processes were on the same tract because there were a lot of appearance issues. He said as a result the two processes got blended together which is why the questions came up regarding where the boundaries should be.

Chairperson Plaag said in the last joint meeting, it was discussed to make the boundary of the Historic District be the same as the Downtown Core, not only at the West end of Town; but also at the East end with some distance to be determined. He explained on the proposed map that the Historic district is shown in the purple hash mark shading which looks relative to the Downtown Core which is shown in the light pink color. He said the Downtown Interface is shown in the light pink. He said the CAC and HPC were asked to discuss if it made sense to make the Downtown Core and the Downtown Interface have the exact same boundaries. He said

after a lot of discussion on it, there were many reasons brought up as to why this is not practical.

Chairperson Plaag talked about the two parcels with houses on them located on Howard Street. He said if they are included in the proposed Historic District, they would possibly force the Town to have a delay for up to one year because a demolition delay on properties located in a historic district. He further explained that these two parcels with houses had been changed so much over time that they were not contributing resources to any historic district that we would have. He added that even though these parcels are in a period of significance, they are not contributing resources.

Chairperson Plaag talked about the old Baptist Student Union house and noted that it was not surveyed. He said that he did go out and survey this property; but it will take time to do the research on it to figure how it relates to the context of the district.

Chairperson Plaag talked about the residential properties on hippy hill that face Wallace Circle. He said with these properties being in the Downtown Core, they would be subject to a zero setback, if re-developed. He said during the discussion, they tried to be sensitive to properties that are in these extended areas.

Chairperson Plaag said at the meeting with Staff, they decided to make no proposed change to the Historic District boundary. He said the boundary that the HPC previously agreed on will be presented to Council for the Downtown Boone Historic District. He said, however, when talking about zoning issues, he said there was a lot of discussion on the properties at the west end and the east end of Downtown.

Chairperson Plaag said at the meeting it was proposed to put the Watauga County Courthouse in the Downtown Core and not in the Downtown Interface. He said the Stanley Harris Apartments, now known as the Nathans Walk Apartments should stay in the Downtown Interface because of the setbacks.

Chairperson Plaag said all the properties between the Watauga County Courthouse and Straight Street which are architecturally similar in many respects to the rest of the Downtown Core, should be included in the Downtown Core. He said that Straight Street would become the entry into the Downtown Area on King Street.

Chairperson Plaag said for several reasons on the east end of the Downtown Core, the decision was made to include everything from Appalachian Street to College Street as part of the Downtown Core.

Member Watkins asked Chairperson Plaag to define the Downtown Core on the proposed boundary map. Chairperson Plaag said it is the portion of Downtown Boone that is historically related to the growth and evolution of Downtown Boone during its period of historical development from 1910 through 1919 and the 1960's. Member Watkins asked if this was not

the same definition as the Historic District. Chairperson Plaag said this is a zoning district and there does not have to be an historical rationale for this boundary.

Member Watkins asked Chairperson Plaag if the zoning requirements were different between the Historic District and the Downtown Core. Chairperson Plaag said there is a great amount of similarity in terms of the design standards between the Downtown Core and the Historic District. Chairperson Plaag noted there are some minor procedural differences.

Member Watkins said if there was no Community Appearance Commission would there be a Downtown Core. Chairperson Plaag said there would be a zoning district and further explained that the CAC is a committee that has been asked to create proposed design standards for all of the zoning districts in Town. He said their project over the last seven years has been working on creating a set of design standards for the Downtown area.

Chairperson Plaag said that there were some other minor proposed changes that were made, with the most significant change being in reference to the appearance of buildings with a continuous facade. He said the proposed text was changed to, "a continuous line of a building" which is to help prevent having breaks in the building's façade for individual buildings in the Downtown Core.

Chairperson Plaag expressed some concern for the way the proposed text was written, which would permit rooftop bars to be constructed on the top of the Downtown Core buildings under certain circumstances. He said this type of construction would have serious impact on the historical appearance of the buildings Downtown. He talked about the Horton Hotel rooftop bar and he said he felt it was built too far forward on the building. He said if you look at the top the Horton Hotel from across the street, it looks like it has a hat sitting on top of it. He said in any other Historic District, if this type of appearance had been proposed it would not have been approved with a historic district in place. He said he wants to avoid the potential issues of the CAC approving a design under their guidelines and the HPC not approving a design under their historic guidelines. He said that this proposed text has been flagged for Council to discuss the screening of rooftop bars and where they are placed on building roof tops, so there is not a negative impact on the appearance of historic buildings.

Chairperson Plaag said there was an issue with the term, "transcom" being used interchangeably for clerestory windows which was an issue throughout the whole CAC document but it was addressed.

Chairperson Plaag had proposed that the term, "quoins" be added as a defining feature on historical buildings.

Chairperson Plaag proposed that a major change be made for porch overhangs/awnings that have vertical supports posts. He said there is a way in the proposed text that's reads as though they are allowed in the Downtown Core. He said they are not historic to the Downtown Core or the Historic District. He said he proposed that they not be allowed.

Chairperson Plaag said that all of the proposed changes made at the meeting with Staff, CAC Chairperson Williams and himself will be presented to Council for their review. He said these are the recommendations that were made for proposed changes to the existing zoning documents for the Downtown Core and Downtown Interface. He said these proposed changes do not change any of the Historic District work that has been proposed at this time.

Member Watkins said that he is still uncomfortable with the Historic District being a core within a core and also having a Downtown Interface. He said that he feels that what is being proposed is administratively complex.

Chairperson Plaag said in an ideal world, he would like to see the Historic District and the Downtown Core have the same boundary. He noted that he has had this concern throughout the whole discussion on the Downtown Area. He said that he is still concerned about it because there may be confusion on it.

Chairperson Plaag said that the CAC used the Secretary of the Interior Standards for the foundation, when creating their design standards. He said the changes to the properties in the Historic District will basically be following guidelines that apply to the Downtown Core with some additional elements that will apply. He said the only property that there might be confusion on is the Nathans Walk Apartments. He said that the Planning Staff can work with that property owner to help them understand.

Member Watkins noted that simplicity is the better way to present information to the public. He said by adding the multiple layers provides an opening for criticism.

Discussion ensued on emailing among the HPC members. Member Watkins explained that he had emailed Chairperson Plaag his concerns and questions regarding the work of the HPC because Chairperson Plaag had asked all of the HPC members to email him, if they had concerns or questions on the work of the HPC. Chairperson Plaag said that it is legal and noted that once an email is sent to him with information regarding the work of the HPC it becomes public record. He explained that he has to maintain that email for a period of time, in case there is a public records request for all of the emails that he has received as Chairperson of the HPC. He explained that he wanted to caution everyone who writes an email to be tactful and discreet with the wording within the emails in case they are viewed in the future. He confirmed that he cannot share the content of an email with another board member, the content has to be shared in a meeting setting.

Member Watkins told Chairperson Plaag that he could append Member Watkins emails to the meeting minutes. Chairperson Plaag noted that he had rather forward Member Watkins emails on to the Planning Staff. Member Watkins said he was alright with the Planning Staff receiving his emails.

Chairperson Plaag explained that the completion of the work of the HPC and CAC puts Council in a position where they can move forward with the proposing zoning changes and the Historic District at the same time.

Chairperson Plaag said the Planning Staff, CAC Chairperson Williams, and himself also talked about the timeline for presenting the proposed information. He noted that Ms. Shook would present that proposed information to Council at their November meeting. He said that both he and CAC Chairperson Williams have been asked to be on standby incase there are questions of them during the Council meeting.

Motion and Vote:

Member Bond made a motion, seconded by Member Brantz to authorize Chairperson Plaag to speak on behalf of the Historic Preservation Commission at the Council's November 2020 meeting regarding the proposed zoning changes and the Historic District proposals for the Town of Boone.

Vote:

Aye – All

Nay – None

The motion is passed.

Member Clawson noted that as the process moves forward that she may need more information on it.

Ms. Turner said that the Planning Staff is preparing an educational component to present to Council in January of 2021 and then later will be presented to the public. She said the information will include the storybook journal that will probably be presented to the HPC in January of 2021. Member Bond said that it is good that the HPC will be able to review the information before it goes to the public.

Cemetery Deeds

Chairperson Plaag began discussion on this topic, noting his appreciation for all of the work that Vice-Chairperson Pollitt and her son have done on the cemetery deed research. He noted that this research information was not included in the meeting packet but he emailed it out to the HPC prior to this meeting (permanently attached).

Vice-Chairperson Pollitt asked Chairperson Plaag about the content of the email that she sent to him regarding this agenda topic. Chairperson Plaag read aloud the contents of her email at this meeting which talked about the book and page of the deeds and with the help of the Register of Deeds Staff, she found that Mr. R.F. Greene owned the land and now the land is owned by his heirs. She said that Ms. Amy Shook, Register of Deeds for Watauga County suggested that she could research the King's Grant at the Ashe County Courthouse for more information. Vice-Chairperson Pollitt noted that she uses www.ancestry.com for one of her other resources.

Chairperson Plaag asked Mr. Turner how much longer does the HPC have to research the deeds for the ownership of the cemetery. Ms. Turner said the HPC was not given a timeline to do this research and she thought it was alright, if the HPC took a couple of more months to work on it. Chairperson Plaag suggested compiling Vice-Chairperson Pollitt's research information with his

research information and to create a summary explaining that the HPC is not clear on the owner or heir to the cemetery property that they can identify. He said that he would like to present it back to Council for their direction. There was consensus from the HPC for Chairperson Plaag's to compile the research information and present it to Council to request their direction.

Black and Indigenous People of Color

Chairperson Plaag began discussion on this agenda item noting that the purpose of this discussion would be to talk about the process for making recommendations for markers for any people identified by HPC, Council or Community Members. He suggested that this agenda item be tabled until early in 2021. He said the reason for tabling this agenda item is to allow he and Ms. Shook the time to complete their work on the Town website which they believe is the key in getting public feedback on the markers. Chairperson Plaag confirmed there was consensus from the HPC members to table this agenda item.

Town Streets

Chairperson Plaag asked for volunteers to work on specific Town Streets to research the history of them. He assigned a January of 2021 HPC meeting dead line for each HPC member to complete their research.

The following HPC members volunteered to work on the Town streets: Member Brantz- Grand Boulevard and Linney Street, Member Bond-Howard Street and Rivers Street, Member Clawson-Depot Street and Queen Street, Vice-Chairperson Pollitt-Church Street and North Street, Member Watkins-Appalachian Street and College Street and Chairperson Plaag-King Street, Junaluska Rd. and Water Street.

Chairperson Plaag said that he has a 1947 Sanborn Map and some other resources that he will send to the HPC members via an open link to help them with their research.

Town Website

Chairperson Plaag said he had a great discussion with Ms. Shook regarding the HPC webpage of the Town Website. He said he is going to create a mock-up of how he is proposing for the HPC webpage to look like. He said he will submit it to Ms. Shook who will present it to Mr. Ward to review. Chairperson Plaag said he will have an update on it at the December 2020 HPC meeting.

Lovill House

Member Brantz said that he was asked to visit the Lovill House. He said it is an older 19th Century home that takes you back from a modernized bustling time to an earlier time in Boone. He said it is a welcoming and comfortable place. He said it has modern appliances and computers. Chairperson Plaag asked Member Brantz, if the Lovill House was under contract. Member Brantz said it is in the process of the 30 day due diligence period and noted that there are some zoning and property line issues that they are looking into as well during this time. Member Clawson noted there is also an issue with the adding of solar onto the Lovill House.

Informal Discussion/Other Matters

Chairperson Plaag asked Ms. Turner if there was an update from Mr. Ward on the 150th Sesquicentennial event. Ms. Turner said she did not have an update from Mr. Ward but she would get an update by the next HPC meeting.

Ms. Turner said her father found a coin collection from the Bicentennial that the Jaycees had done. Chairperson Plaag said that Digital Watauga would like to host this collection. He said they would scan it into their website. He suggested that Ms. Turner leave the collection with the Watauga County Library Staff.

Chairperson Plaag suggested the following topics for the next meeting agenda: Junaluska Marker, Turner House, Zoning and Historic District processes, Town Streets and Town Website. He suggested to include the Cemetery Deeds agenda item at the January 2021 meeting.

Member Watkins asked for an update on the Watauga Medical Center buildings that were discussed at a previous meeting. Chairperson Plaag said that the buildings were offered for sale. He said there was interest in the barn but not in the house. He said some of the windows have been removed from the house. Ms. Turner said it was her understanding that neither of the structures were purchased. Chairperson Plaag noted that he felt that both structures would be demolished.

Chairperson Plaag noted that he was granted access to make photographs of the Watauga Medical Center buildings for both the interior and the exterior of the house and the barn. He said that early next year, he will be hosting those photos on the Digital Watauga website.

Chairperson Plaag noted that early next year Digital Watauga will host the photographs of the Turner House.

Adjournment

Member Watkins made a motion, seconded by Member Clawson to adjourn the meeting at 5:08 p.m.

Vote:

Aye – All

Nay – None

The motion passed.

Eric Plaag, Chairperson

Marlene Crosby, Board Secretary



Communication: Cemetery Deeds Research Information (Approval of Minutes)

November 14, 2014: Book 1779, Page 328 (previous owner: Stephen M. Beatrous)

RETURN of Plat 1 and Plat 2, located in Town of Boone, Boone Township and being more particularly described as follows: a certain tract and easement hereby defined:

1. Ad Valorem Taxes for Watauga County the said easement owners.

2. Subsequent to the public or corporate with respect to easements, whether or direct, whether of public record or not.

3. Right of Way for Charles Street and Charles Street Extension as recorded in Book of Records 107, Page 114, Watauga County Registry.

4. Tax (to) East right of way easement for Hayes Bryan Cemetery as recorded in Book 109, Page 414, Watauga County Registry.

5. Water Right and Easement Agreement as recorded in Book 109, Page 411 and Book 109, Page 414, Watauga County Registry.

6. The following is a description of the property which is located in Book of Records 107, Page 114, Watauga County, North Carolina Public Registry.

TRACT ONE: BEGINNING on an iron set, being a new corner to Smith and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.20 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 00° 31' West 64.39 feet to an iron set in the line of Tract #2; thence South 23° 07' West 62.09 feet to an iron set near a knot and in the North margin of a 20-foot easement; thence South 75° 13' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Buckett and Stern, RLS, October 28, 1969.

TRACT TWO: BEGINNING on an iron set, being a new corner to Smith and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.20 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 00° 31' West 64.39 feet to an iron set in the line of Tract #2; thence South 23° 07' West 62.09 feet to an iron set near a knot and in the North margin of a 20-foot easement; thence South 75° 13' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Buckett and Stern, RLS, October 28, 1969.

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(**take note: Hayes Bryan Cemetery Book 109, Page 414 Watauga County Registry)

May 24, 2006: Book 1185, Page 792 (previous owner: Wilma Sutherland)

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This conveyance is made subject to a 10-foot easement for entrance to the Hayes, Bryan and Greene Cemetery, said easement running from the unnamed street to said cemetery.

There is also conveyed herewith unto the grantees, their heirs and assigns a right to obtain water from that certain reservoir as contained in a deed from Allan S. Adams and wife, Emogene S. Adams to James Burris, et al, and James Burris, et al dated May 3, 1973 and as contained in that water rights deed from James Burris and wife, Ruth S. Burris to James Burris and wife, Patricia R. Burris dated May 31, 1973 and recorded in Book 139 at Page 611, Watauga County Public Registry.

May 1, 2003: Book 830, Page 740 (previous owner Brandon Scot Sutherland + wife Lori A. Townsend)

TRACT ONE: BEGINNING on an iron set, being a new corner to Smith and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.20 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 00° 31' West 64.39 feet to an iron set in the line of Tract #2; thence South 23° 07' West 62.09 feet to an iron set near a knot and in the North margin of a 20-foot easement; thence South 75° 13' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Buckett and Stern, RLS, October 28, 1969.

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There is also conveyed herewith unto the grantees, their heirs and assigns a right to obtain water from that certain reservoir as contained in a deed from Allan S. Adams and wife, Emogene S. Adams to James Burris, et al, and James Burris, et al dated May 3, 1973 and as contained in that water rights deed from James Burris and wife, Ruth S. Burris to James Burris and wife, Patricia R. Burris dated May 31, 1973 and recorded in Book 139 at Page 611, Watauga County Registry.

May 4, 1999: Book 510, Page 362 (previous owner Jerry A. Sutherland + ?)

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that his one-half (1/2) undivided interest in and to Boone Boone Township, Watauga County, North Carolina and more particularly described as follows:

Jerry sold his ½ interest to Brandon

TRACT ONE: BEGINNING on an iron set, being a new corner to Smith and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.20 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 00° 31' West 64.39 feet to an iron set in the line of Tract #2; thence South 23° 07' West 62.09 feet to an iron set near a knot and in the North margin of a 20-foot easement; thence South 75° 13' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Buckett and Stern, RLS, October 28, 1969.

TRACT TWO: BEGINNING on an iron set, being a new corner to Smith and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.20 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 00° 31' West 64.39 feet to an iron set in the line of Tract #2; thence South 23° 07' West 62.09 feet to an iron set near a knot and in the North margin of a 20-foot easement; thence South 75° 13' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Buckett and Stern, RLS, October 28, 1969.

This conveyance is made subject to a 10-foot easement for entrance to the Hayes, Bryan and Greene Cemetery, said easement running from the unnamed street to said cemetery.

There is also conveyed herewith unto the grantees their heirs and assigns a right to obtain water from that certain reservoir as contained in a deed from Allan S. Adams and wife, Emogene S. Adams to James Burris, et al, and James Burris, et al dated May 3, 1973 and as contained in that water rights deed from James Burris and wife, Ruth S. Burris to James Burris and wife, Patricia R. Burris dated May 31, 1973 and recorded in Book 139 at Page 611, Watauga County Registry.

June 12, 1973: Book 139, Page 741 (previous owners: James H. Burris + Patricia Burris, sold to Jerry A. Sutherland + Wilma Sutherland)

TRACT ONE: BEGINNING on an iron set, being a new corner to Smith and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.20 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 00° 31' West 64.39 feet to an iron set in the line of Tract #2; thence South 23° 07' West 62.09 feet to an iron set near a knot and in the North margin of a 20-foot easement; thence South 75° 13' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Buckett and Stern, RLS, October 28, 1969.

TRACT TWO: BEGINNING on an iron set, being a new corner to Smith and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.20 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 00° 31' West 64.39 feet to an iron set in the line of Tract #2; thence South 23° 07' West 62.09 feet to an iron set near a knot and in the North margin of a 20-foot easement; thence South 75° 13' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Buckett and Stern, RLS, October 28, 1969.

This conveyance is made subject to a 10-foot easement for entrance to the Hayes, Bryan and Greene Cemetery, said easement running from the unnamed street to said cemetery.

There is also conveyed herewith unto the grantees their heirs and assigns a right to obtain water from that certain reservoir as contained in a deed from Allan S. Adams and wife, Emogene S. Adams to James Burris, et al, and James Burris, et al dated May 3, 1973 and as contained in that water rights deed from James Burris and wife, Ruth S. Burris to James Burris and wife, Patricia R. Burris dated May 31, 1973 and recorded in Book 139 at Page 611, Watauga County Registry.

**October 29, 1969: Book 109, Page 414 (reference Cemetery above, previous owners: Mamie H. Smith and T. L. Smith; sold to James H. Burris + Patricia Burris)

TRACT ONE: BEGINNING on an iron set, being a new corner to Smith; and in the North margin of a 20-foot easement, and runs thence North 24° 10' East 67.18 feet to an iron set at a cherry tree and being the Southeast corner of the Hayes, Bryan and Greene Cemetery lot; thence North 50° 51' West 64.39 feet with the cemetery lot to an iron in the line of Tract #3; thence South 23° 07' West 60.66 feet to an iron near a locust and in the North margin of a 20-foot easement; thence South 75° 15' East 62.09 feet to the point of BEGINNING, and being Tract #2 of a survey and plat by Burkett and Stern, RLS, October 28, 1969.

TRACT TWO: BEGINNING on an iron near a locust in the North margin of a 20-foot easement, and being a corner to Tract #2 of the Mamie H. Smith property and runs thence with the North margin of said easement North 56° 00' West 40.46 feet and North 39° 42' West 46.63 feet to an iron at the intersection of Charles Street and an unnamed street; thence North 35° 19' East 101.94 feet with the East margin of the unnamed street to an iron, a corner to Tract #4 of the Mamie H. Smith property; said iron being in the North margin of a 10-foot easement for the cemetery road; thence South 42° 02' East 42.59 feet to an iron, the Northwest corner of the Hayes, Bryan and Greene Cemetery lot; thence South 00° 03' West 53.78 feet with the cemetery line to an iron, the Northwest corner of Tract #2 of the Mamie H. Smith property; thence South 23° 07' West 60.66 feet to the point of BEGINNING, and being Tract #3 of a survey and plat by Burkett and Stern, RLS, October 28, 1969.

This conveyance is made subject to a 10-foot easement for entrance to the Hayes, Bryan and Greene Cemetery, said easement running from the unnamed street to said cemetery.

Does not look like deed to Cemetery.

East Property: 259 Charles Street

Current Owners: Markus E. Jones + Stefani V. Jones

Sales:

April 19, 2012: Book 1628, Page 480 (previous owners: Anneliese Jones)

BEING a 0.642 acre tract located at the eastern end of Charles Street in the Town of Boone and being bounded by said street, Jerry Sutherland, The Hayes Cemetery, Charles Hayes, Edward Turner, and Jon Kwiatkowski and being more particularly described as follows: BEGINNING on an iron pipe found in the southwestern boundary line of Edward Turner (formerly Joines); said point being located North 74 deg. 58 min. East, 174.01 feet from NGCS Monument "Burris" (Grid Coordinates NAD 27 North 910,798.16 East 1,206,419.81); said beginning point being further located South 63 deg. 06 min. East 94.50 feet from the southeast corner of a brick house located on the property being described herein; thence from the beginning and with the Kwiatkowski line South 69 deg. 06 min. West 96.50 feet to an existing iron pin on the northern margin and at the eastern end of said street and Charles Street the following six courses and distances: (1) North 82 deg. 29 min. West 27.11 feet to a point; (2) North 52 deg. 42 min. West 82.48 feet to an iron pin set; (3) North 36 deg. 26 min. West 83.01 feet to a spike set in pavement; (4) South 56 deg. 27 min. East 45.28 feet to an existing iron pin; (5) North 22 deg. 17 min. East 20.00 feet to an iron pin set; and (6) North 55 deg. 26 min. West 48.94 feet to an iron pin set at the southeast corner to Jerry Sutherland; thence leaving Charles Street with the Sutherland line North 20 deg. 27 min. East 67.18 feet to an iron pin set at the southeast corner to the Hayes Cemetery; thence with the eastern boundary of said cemetery North 03 deg. 57 min. West 54.00 feet to an iron pin set and being a corner to Charles Hayes; thence with the Hayes line North 32 deg. 49 min. East 18.99 feet to an existing iron pin found in the Edward Turner line; thence with the said Turner line the following two courses and distances: (1) South 38 deg. 21 min. East 123.88 feet to an iron pin set; and (2) South 40 deg. 03 min. East 186.49 feet to the point of beginning; containing 0.642 of an acre as computed from coordinate geometry (bearings based on NC Grid) and being the same as survey shown on plat No. 84052 dated July 11, 1984 and revised on April 23, 1993 and being survey and plat prepared by D. E. Pennell, R.L.S. No. L-2612.

Also conveyed herewith is a 20 foot right of way as set forth in Right of Way Deed recorded in Book of Records 107, Page 71, Watauga County Registry.

This conveyance is made subject to Right of Way Deed recorded in Book of Records 138, Page 263, and Road Maintenance Agreement recorded in Book of Records 157, Page 686, Watauga County Registry.

May 5, 1993: Book 243, Page 251 (previous owners: Robert L. Cherry Jr. + Terry Wilma Cherry)

-1993 Town of Boone and Watauga County ad valorem taxes.
-Right of way for ingress and egress recorded in Book of Records 107, Page 071.
-Road Maintenance Agreement recorded in Book of Records 157, Page 686.

BEING a 0.642 acre tract located at the eastern end of Charles Street in the Town of Boone and being bounded by said street, Jerry Sutherland, The Hayes Cemetery, Charles Hayes, Edward Turner, and Jon Kwiatkowski and being more particularly described as follows: BEGINNING on an iron pipe found in the southwestern boundary line of Edward Turner (formerly Joines); said point being located North 74 deg. 58 min. East, 174.01 feet from NCSS Monument "Burris" (Grid Coordinates NAD 27 North 910,798.16 East 1,206,419.81); said beginning point being further located South 63 deg. 06 min. East 94.50 feet from the southeast corner of a brick house located on the property being described herein; thence from the beginning and with the Kwiatkowski line South 69 deg. 06 min. West 96.50 feet to an existing iron pin on the northern margin and at the eastern end of Charles Street Extension; thence with the right of way boundary of said street and Charles Street the following six courses and distances: (1) North 82 deg. 29 min. West 27.11 feet to a point; (2) North 52 deg. 42 min. West 82.48 feet to an iron pin set; (3) North 36 deg. 26 min. West 83.01 feet to a spike set in pavement; (4) South 56 deg. 27 min. East 45.28 feet to an existing iron pin; (5) North 22 deg. 17 min. East 20.00 feet to an iron pin set; and (6) North 55 deg. 26 min. West 48.94 feet to an iron pin set at the southeast corner to Jerry Sutherland; thence leaving Charles Street with the Sutherland line North 20 deg. 27 min. East 67.18 feet to an iron pin set at the southeast corner to the Hayes Cemetery; thence with the eastern boundary of said cemetery North 03 deg. 57 min. West 54.00 feet to an iron pin set and being a corner to Charles Hayes; thence with the Hayes line North 32 deg. 49 min. East 18.99 feet to an existing iron pin found in the Edward Turner line; thence with the said Turner line the following two courses and distances: (1) South 38 deg. 21 min. East 123.88 feet to an iron pin set; and (2) South 40 deg. 03 min. East 186.49 feet to the point of beginning; containing 0.642 of an acre as computed from coordinate geometry (bearings based on NC Grid) and being the same as survey shown on plat No. 84052 dated July 11, 1984 and revised on April 23, 1993 and being survey and plat prepared by D. E. Pennell, R.L.S. No. L-2612.

Also conveyed herewith is a 20 foot right of way as set forth in Right of Way Deed recorded in Book of Records 107, Page 71, Watauga County Registry.

This conveyance is made subject to Right of Way Deed recorded in Book of Records 138, Page 263, and Road Maintenance Agreement recorded in Book of Records 157, Page 686, Watauga County Registry.

Above purchase was combination of: Deed Book: Book 250, Page 287 + Book of Records: Book 133, Page 38

July 18th, 1984: Deed Book 250 / 287:

Previous owners: Horace Burris + Ruth Burris

This property was a combination of Book 136, Page 776 and Book 109, Page 95 (does not specify which book)

February 9, 1973: Deed Book 136, Page 776: (previous owners: Isaac Luther Smith + Mamie Hodges Smith)

BEGINNING on an iron located in the north margin of a 20-foot street and being a corner to Horace Burris, said iron being located also North 24° 52' East 103.61 feet from an old iron on the north side of Hill Street and runs thence with the north margin of a 20-foot street North 51° 57' West 48.84 feet to an iron, corner to Tract 2 of the Mamie Smith property; thence with the line of Tract 2, North 24° 01' East 67.18 feet to an iron at a Cherry Tree and being a corner to the cemetery lot; thence with the line of the cemetery lot, North 00° 23' West 54.00 feet to an iron, a corner to Tract 4 and the cemetery lot; thence North 36° 23' East 18.99 feet to an iron in the fence row and in the line of Sherrill; thence with the fence row and the line of Sherrill, South 34° 47' East 123.88 feet to an iron in the fence row at a marked Crabapple Tree and being a corner to Horace Burris; thence with the line of Horace Burris, South 50° 03' West 91.90 feet to the point of BEGINNING and being Tract 1 of a plat of the Mamie H. Smith property as shown on a plat by Burkett & Stern, R.L.S., dated October 28, 1969.

(will need to dig for previous book)

June 25, 1969: Book 109, Page 95: (previous owners: Luther Smith and Mamie Hodges Smith)

BEGINNING on an iron pin, said iron pin being located North 86° East 5.0 feet from a white pine on the North bank of Hill Top Street and runs thence North 22° 10' East 100.0 feet to an iron pin; thence North 47° 15' East 98.0 feet to an iron pin, corner to Sherrill old line; thence with the Sherrill old line South 43° East 191.0 feet to an iron pin in the North margin of Hill Top Street; thence with the North margin of Hill Top Street South 86° 20' West 231.0 feet to the point of BEGINNING, containing 19,845 square feet, more or less, all according to survey and plat by C. F. Thompson, Surveyor, June 17, 1969.

N. C. Real Estate Excise Tax Stamp \$1.00

April 4, 1989: Book of Records: Book 133, Page 38:

Previous owners: Charles Dean Church + Betty Eggers Church

A .060 acre tract located at the eastern end of Hilltop Street and at the intersection of said street with a 30 foot street (Charles Street Extension); being a portion of the same property described in deed to Charles Dean Church and wife, Betty Eggers Church from Todd Rhulon Fowler recorded in Book of Records 108 at Page 076 of the Watauga County Registry and being more fully described as follows:

Beginning on an iron found in the Shirley Ann Joines line; said point being a corner to Robert Cherry, Jr. and being further located South 63 deg. 06 min. East 94.50 feet from the southeast corner of a brick dwelling located on the Cherry lot; thence from the beginning a new line through the Charles Dean Church property South 69 deg. 06 min West 96.50 feet to an iron on the southern margin and at the eastern end of Hilltop Street; thence continuing with the northern margin of the same North 82 deg. 29 min. West 27.11 feet to the point of intersection of same with a 30 foot street (Charles Street Extension); thence with the northeastern margin of said street North 52 deg. 42 min. West 51.27 feet to an iron; being a corner to Robert Cherry, Jr.; thence with the Cherry line two courses and distances; South 82 deg. 33 min. East 46.23 feet to an iron; and North 87 deg. 02 min. East 112.12 feet to the point of beginning; containing 2601 square feet or .060 acre as computed by D. E. Pennell, R.L.S. No. L-2612 on March 22, 1989.

October 31, 1988: Book 108, Page 76 (Previous Owner: Rhulon Todd Fowler)

A 0.498 acre tract located at the eastern end of Hilltop Street and at the intersection of said street with a 30 foot street (Charles Street Extension); being a portion of the same property described in deed to Don Dunlap Construction, Inc. from Horace Burris and wife, Ruth Burris recorded in Deed Book 239 at Page 835 of the Watauga County Registry and being more fully described as follows:

Beginning on an iron found in the Shirely Ann Joines line; said point being a corner to Robert Cherry, Jr. and being further located South 63° 06' East 94.50 feet from the southeast corner of a brick dwelling located on the Cherry lot; thence from the beginning and with the Joines lines two courses and distances; South 46° 22' East 84.62 feet to an iron found; and South 39° 53' East 56.61 feet to an iron set and being a corner to Martha Hawkinson; thence with the Hawkinson line South 15° 10' West 34.54 feet to an iron found; being a corner to Hawkinson and E. W. Bentley; thence with the Bentley line South 64° 16' West 52.73 feet to an iron found; being a corner to James Beach and Bentley; thence with the Beach line South 70° 20' West, 58.24 feet to an iron found; thence North 28° 03' West 137.29 feet to an iron found on the southern margin and at the eastern end of Hilltop Street; thence continuing North 28° 03' West 25.00 feet to a point on the northern margin of said street; thence with the northern margin of same North 82° 29' West 27.11 feet to the point of intersection of same with a 30 foot street (Charles Street Extension); thence with the northeastern margin of said street North 52° 42' West 51.27 feet to an iron set; being a corner to Robert Cherry, Jr.; thence with the Cherry lines two courses and distances; South 82° 33' East 46.23 feet to an iron set; and North 87° 02' East 112.12 feet to the point of beginning; containing 0.498 of an acre by coordinate geometry as computed September 14, 1988 from survey prepared on October 14, 1983 for Don Dunlap by D. E. Pennell, R.L.S. No. L-2612 and shown on plat No. 83053.

This conveyance is made subject to right of ways as recorded in Book of Records 107 at Page 69 and Book of Records 107 at Page 71, Watauga County Registry.

Sept. 20, 1988: Book 104, Page 571 (previous owner: Don Dunlap Construction, Inc.)

TRACT ONE

A 0.193 acre tract located on the south side of Hilltop Street approximately 100 feet west of the intersection of said street with Charles Street Extension; being a portion of the same property described as Tract No. 2 in deed to Don Dunlap Construction, Inc. from Mary Smith Tucker and husband, Bruce Tucker recorded in Deed Book 234 at Page 051 of the Watauga County Registry and being more fully described as follows:

Beginning on an iron found on the south side of Hilltop Street; said iron being the northeastern corner of A. A. Messler lot and being further located North 82° 07' West 124.83 feet from N. C. Grid Monument "Burris"; thence from the beginning and with the southern margin of said street South 78° 57' East 58.48 feet to an iron found; thence leaving said street South 20° 42' West 126.37 feet to an iron; said iron being a corner to Iris Moretz and Mamie Smith (now John Crotta); thence with the Smith line North 72° 48' West 79.79 feet to an iron found; being a corner to Smith and Messler; thence with the Messler line North 30° 58' East 123.41 feet to the point of beginning; containing 0.193 of an acre by coordinate geometry as computed September 14, 1988 from survey prepared on October 14, 1983 for Don Dunlap by D. E. Pennell, R.L.S. No. L-2612 and shown on plat No. 83053.

TRACT THREE

A 0.347 acre tract located on the south side of Hilltop Street at the intersection of said street with a 30 foot street (Charles Street Extension); being a portion of the same property described as Tract No. 2 in deed to Don Dunlap Construction, Inc. from Mary Smith Tucker and husband, Bruce Tucker recorded in Deed Book 234 at Page 051 of the Watauga County Registry and being more fully described as follows:

Beginning on an iron found on the southern margin and at the eastern end of Hilltop Street; said iron being further located South 82° 47' East 90.36 feet from N. C. Grid Monument "Burris"; thence from the beginning, leaving said street, South 28° 03' East 137.29 feet to an iron found in the James Beach line; thence with said line South 66° 49' West 32.11 feet to an iron found; being a corner to Beach and Stacey Bingham; thence with the Bingham line South 82° 17' West 100.72 feet to a point in same; thence North 04° 54' West 155.73 feet to a point on the southern margin of Hilltop Street; thence with the margin of said street South 84° 16' East 78.44 feet to the point of beginning; containing 0.347 of an acre by coordinate geometry as computed September 14, 1988 from survey prepared on October 14, 1983 for Don Dunlap by D. E. Pennell, R.L.S. No. L-2612 and shown on plat No. 83053.

Beginning on an iron found in the Shirely Ann Joines line; said point being a corner to Robert Cherry, Jr. and being further located South 63° 06' East 94.50 feet from the southeast corner of a brick dwelling located on the Cherry lot; thence from the beginning and with the Joines lines two courses and distances: South 46° 22' East 84.62 feet to an iron found; and South 39° 53' East 56.61 feet to an iron set and being a corner to Martha Hawkinson; thence with the Hawkinson line South 15° 10' West 34.54 feet to an iron found; being a corner to Hawkinson and E. W. Bentley; thence with the Bentley line South 64° 16' West 52.73 feet to an iron found; being a corner to James Beach and Bentley; thence with the Beach line South 70° 20' West, 58.24 feet to an iron found; thence North 28° 03' West 137.29 feet to an iron found on the southern margin and at the eastern end of Hilltop Street; thence continuing North 28° 03' West 25.00 feet to a point on the northern margin of said street; thence with the point of intersection of same with a 30 foot street (Charles Street Extension); thence with the northeastern margin of said street North 52° 42' West 51.27 feet to an iron set; being a corner to Robert Cherry, Jr.; thence with the Cherry lines two courses and distances: South 82° 33' East 46.23 feet to an iron set; and North 87° 02' East 112.12 feet to the point of beginning; containing 0.498 of an acre by coordinate geometry as computed September 14, 1988 from survey prepared on October 14, 1983 for Don Dunlap by D. E. Pennell, R.L.S. No. L-2612 and shown on plat No. 83053.

TRACT TWO

A 0.342 acre tract located on the south side of Hilltop Street at the intersection of said street with a 30 foot street (Charles Street Extension); being a portion of the same property described in Tract No. 2 in deed to Don Dunlap Construction, Inc. from Mary Smith Tucker and husband, Bruce Tucker recorded in Deed Book 234 at Page 051 of the Watauga County Registry and being more fully described as follows:

Beginning on an iron found on the southern margin of Hilltop Street; said iron being further located South 78° 57' East 58.48 feet from an iron found at the northeastern corner of the A. A. Messler lot; thence from the beginning and with the margin of said street the following two courses and distances: South 81° 38' East 35.34 feet; and South 84° 16' East 43.13 feet to a point; thence leaving said street South 04° 54' East 155.73 feet to a point in the Stacey Bingham line; thence with said line South 82° 17' West 63.89 feet to an iron found in the Iris Moretz line; thence with the Moretz lines the following two courses and distances: North 08° 55' East 53.96 feet to an iron found; and North 88° 49' West 80.92 feet to an iron found; thence North 20° 42' East, 126.37 feet to the point of beginning; containing 0.342 of an acre by coordinate geometry as computed September 14, 1988 from survey prepared on October 14, 1983 for Don Dunlap by D. E. Pennell, R.L.S. No. L-2612 and shown on plat No. 83053.

TRACT FOUR

A 0.498 acre tract located at the eastern end of Hilltop Street and at the intersection of said street with a 30 foot street (Charles Street Extension); being a portion of the same property described in deed to Don Dunlap Construction, Inc. from Horace Burris and wife, Ruth Burris recorded in Deed Book 239 at Page 835 of the Watauga County Registry and being more fully described as follows:

I'm personally not sure how to access the corporation deed book online. Also, Plat No. 83053 should be helpful, which I'm not sure how to access online.