



# Historic Preservation Commission

Regular Meeting

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

~ Agenda ~

Jane Shook  
828-268-6960

---

Tuesday, August 9, 2022

3:00 PM

WebEx

---

**This meeting will be held remotely using video conferencing software (WebEx).**

**For information on how to watch, listen, and/or participate in the meeting, please see the WebEx Video Conferencing Information section at the end of this agenda.**

**I. Call to Order**

*HPC Advisory Session*

**II. Adoption of Agenda**

**III. Approval of Minutes**

July 5, 2022 HPC Advisory Meeting Minutes

**IV. Public Comment**

**V. Cemetery/Flagpole Discussion**

**VI. Discussion of Existing Cafe Portofino Building - Town Council Request for Consensus by the HPC on Historic Value/Additional Facts of Building**

Applicant Submitted Report - Acme Historical Documentation Survey Report (Distributed to the HPC on 7/12/22 for Case Z05606-032422 River Street Ventures-COA)

**VII. Historic District/Landmark Design Standards**

**Appendix D - New Construction Standards - Text Revision Discussion**

Appendix D. Section 14. New Construction of Commercial Buildings within the District (latest UDO update 6/8/22)

**VIII. Project Updates by Planning Staff**

**Public Art Standards in the Historic District - Text Amendment**

Town Council approved the text amendment on 7/27/2022. The latest revision is in the UDO posted on the Town's website (<https://townofboone.net/240/Unified-Development-Ordinance>). Included in the packet is the text update now in Appendix D.

#### **Demolition Standards in the Historic District - Text Amendment**

Town Council approved the text amendment on 7/27/2022. The latest revision is in the UDO posted on the Town's website (<https://townofboone.net/240/Unified-Development-Ordinance>). Included in the packet is the text update now in Article 8 and Appendix D.

#### **Certified Local Government (CLG) Application Status Update**

Please review the Staff Memo detailing the latest information on the status of the final submission. Staff would like to present the HPC with the latest revised documents for their final review. At this time, Staff is considering submitting the application in mid-to late August.

#### ***Watauga County Jail Local Landmark Designation Report - Update***

#### ***Status of Historic Markers (Council's Store and Hayes-Bryan-Greene Cemetery)***

#### ***Intern: Local Landmark Designation Reports / Digital Watauga Project***

### **IX. Project Updates by HPC Members**

#### ***Downtown Boone Walking Tour - Revisions***

#### ***Boone 150 Project Updates***

#### ***Boone Cemetery Tours***

#### ***Boone Cemetery Interpretative Panels***

#### ***Stoneman's Raid Interpretative Panels***

### **X. Electric Vehicle Charging Station at the Downtown Boone Post Office**

#### **Electric Vehicle Charging Station (Plans and Photo)**



**XI. Other Discussion**

**XII. Recess of Advisory Session**

-----

**3:00 pm, August 9, 2022**

**Historic Preservation Commission Meeting**

**WebEx, Remote Meeting Software**

-----

**XIII. Call to Reconvene**

*HPC Quasi-Judicial Session*

**XIV. Approval of Minutes**

July 12, 2022 Quasi-Judicial Meeting Minutes

**XV. Z05738-052522 Watauga County - COA**

**Z05738-052522 - Exhibit 1 - Application**

**Z05738-052522 - Exhibit 2 - Project Description**

**Z05738-052522 - Exhibit 3 - Existing Site Photos**

**Z05738-052522 - Exhibit 4 - Applicant Submitted Photos**

**Z05738-052522 - Exhibit 5 - Site Plans & Elevations**

**Z05738-052522 - Exhibit 6 - 3-D Modeling of Parking Structure**

**Z05738-052522 - Exhibit 7 - Applicant Response to Staff Comments**

**Z05738-052522 - Exhibit 8 - Staff Report**

**Z05738-052522 - Exhibit 9 - Historic Photos**

**Z05738-052522 - Exhibit 10 - Revised Elevations**

**Z05738-052522 - Exhibit 11 - Revised Elevations**

**XVI. Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) - COA**

**Z05737-052522 - Exhibit 1 - Application**

**Z05737-052522 - Exhibit 2 - Project Description**

**Z05737-052522 - Exhibit 3 - Existing Site Photos**

**Z05737-052522 - Exhibit 4 - Applicant Submitted Photos**

**Z05737-052522 - Exhibit 5 - Engineer Report**

**Z05737-052522 - Exhibit 6 - Staff Report**

**Z05737-052522 - Exhibit 7 - Historic Photos**

**XVII. Adjournment**

**WebEx Video Conferencing Information**

**WATCH OR PARTICIPATE IN THE MEETING:** Individuals who wish to give testimony/evidence with respect to this case may do so through WebEx either online (by computer or smartphone) or telephone. To do so, please email Jessica Mitchell, Long-Range/Special Projects Planner at [jessica.mitchell@townofboone.net](mailto:jessica.mitchell@townofboone.net) or call 828-268-6960 and you will be provided with an email invitation to the meeting. All requests for participation must be completed by 2 pm on the day of the meeting.

Staff will be happy to schedule a test meeting with each participant to ensure that they are able to participate the day of the meeting. Please call Jessica Mitchell at 828-268-6960 if you are interested in this option.

Staff will moderate the WebEx session to ensure all participants have an opportunity to speak. Individuals who require user assistance registering or joining the WebEx event on the day/night of the meeting can call 828-268-6960 for support.

**CONCERNS REGARDING PARTICIPATION:** Please contact Jessica Mitchell, Long-Range/Special Projects Planner by phone at 828-268-6960 as soon as possible if you are concerned about your ability to participate through the options listed above (online or by telephone) in the "To participate in the meeting" section above.

**TOWN OF BOONE  
HISTORIC PRESERVATION COMMISSION  
MEETING MINUTES  
JULY 5, 2022, 3:00 p.m.  
WebEx Video Conferencing**

---

**Historic Preservation Commission Members in Attendance:**

Chair Eric Plaag, Vice-Chair Bettie Bond, and Chuck Watkins

**Council Liaisons:** Virginia Roseman

**Town Staff in Attendance:**

Jane Shook-Director of Planning & Inspections, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, and Marlene Crosby-Board Secretary

**Others in Attendance:** Mark Freed-Director of Cultural Resources, Paige Henderson-Downtown Boone Development Coordinator, Amber Bateman-Director of Watauga Arts Council, Dr. Alice Wright-Appalachian State University, and Junaluska Heritage Association Members: Dr. Susan Keefe and Ms. Roberta Jackson

---

**Call to Order**

Chair Eric Plaag called the Boone Historic Preservation Commission meeting, held via WebEx, to order at 3:00 pm.

**Adoption of Agenda**

Vice-Chair Bond made a motion, seconded by Member Watkins, to add the “Downtown Boone Walking Tour Update” topic before agenda item eight.

**Vote:** Aye – All  
Nay – None

**The motion passed.**

**Approval of Minutes**

Vice-Chair Bond made a motion, seconded by Member Watkins, to approve the June 7 and June 14, 2022 meeting minutes as written.

**Vote:** Aye – All  
Nay – None

**The motion passed.**

**Public Comment**

No individuals requested the opportunity to speak during public comment.

**Junaluska Heritage Association – Request for Historic Black Cemetery in the Town of Boone**

Chair Plaag suggested that the request be reworded to “a request related to the Historic Black Cemetery.”

Ms. Jessica Mitchell explained that in the meeting packet on page 16, the Planning Staff received a memo dated June 10, 2022, from the Junaluska Heritage Association (JHA). In the memo, the JHA requested permission from the Historic Preservation Commission to place fieldstones on the unmarked graves in Boone’s Historic Black Cemetery. Ms. Roberta Jackson from the JHA explained that Dr. John Callahan,

Communication: July 5, 2022 HPC Advisory Meeting Minutes (Approval of Minutes)

Appalachian State University Geology Professor Emeritus, helped the JHA pick out the Midnight Blue stones.

Ms. Jackson said that Dr. Alice Wright, ASU Archaeology Professor, and her students have volunteered to do another ground-penetrating radar (GPR) survey at the cemetery so that each unmarked grave can be flagged. Ms. Jackson said Dr. Wright would consult with Dr. Keith Seramur, ASU Geology Department, before the survey, which should be done after mowing is finished for the year. Ms. Jackson noted that the work would best be scheduled in October.

Ms. Jackson said that once permission is obtained for the proposed project, the JHA will do fundraising for the project, which is estimated to cost \$800.00 for materials that can be purchased at Wood's Masonry in Boone. She noted that the ASU Anthropology Department has the necessary tools to complete the work.

Discussion ensued on the fieldstones. Dr. Keefe said the community is interested in replacing the field stones removed from the cemetery. She confirmed that, as noted in the memo, the JHA had researched what is involved in replacing the fieldstones. Dr. Wright said that she and her students would be excited for the opportunity to remark the unmarked graves if approved.

Chair Plaag asked Ms. Jackson about some dislodged stones in the cemetery. Ms. Jackson said she believed the stones Chair Plaag was talking about were for Adams and Jackson. As part of this project, Chair Plaag noted another stone that was out of placement beside Troy Williams stone that could also be addressed.

Ms. Amber Bateman joined the meeting at approximately 3:15 pm.

Dr. Wright showed a schematic that she had drawn that explained how the fieldstones would be placed on the ground as close to the unmarked graves as possible based on the new survey. Chair Plaag confirmed that the process for replacing the field stones would be that they would be flat to the ground, not sticking up, and would be set with sand below them to avoid them from being uplifted. Dr. Wright agreed and added that the field stones would not be in the way of any mowing at the cemetery. She explained that the stones would be approximately one to two inches in the ground with two inches of sand beneath them, involving about four inches of digging to install the fieldstones.

Discussion ensued on the approval process for the replacement of the field stones. Chair Plaag said that when the Boone Cemetery was acquired by the Town of Boone, including the historically black portion of the cemetery, the HPC suggested a set of guidelines and procedures. He explained that the Town Manager approves any request for new internment. He said he thought replacing the proposed field stones would fall under this category. He said the guidelines allowed the Town Manager to refer to the HPC or Council for comment. Ms. Mitchell confirmed that because the cemetery is on Town property, it would go to Council first for their approval before the project could begin. Chair Plaag noted that he thought the guidelines stated that only the Austin and Barnes Funeral Home and the Hampton Funeral Home are approved to do the setting of stones automatically. He said other options could be suggested to the Town Manager, who would look at the qualifications of the person setting the stones.

Member Watkins pointed out that what is being proposed should not be confused with internment. He suggested crushed gravel might be a better medium than sand under the field stones.

Chair Plaag said that Ms. Mitchell could provide Ms. Jackson with a copy of the cemetery procedures for what happens in a town cemetery.

**Motion and Vote:**

Chair Plaag made a motion, seconded by Vice-Chair Bond, that the Historic Preservation Commission recommend approval by the Town Council and Town Manager on the general concept and plan described in the memo dated June 10, 2022, and discussion at this meeting from the Junaluska Heritage Association with the understanding that there are some details to be worked out on exactly how the fieldstones will be installed.

**Vote:** Aye – All

Nay – None

**The motion passed.**

**Historic District/Landmark Design Standards**

Chair Plaag explained that two different draft text amendments are before the HPC for their consideration. Ms. Mitchell explained that the proposed changes from the previous HPC meeting were included in the drafted text.

**Public Art Standards in the Historic District – Draft Text Amendment**

Ms. Mitchell asked the HPC if they had any proposed changes to the draft text amendment. She noted that the Planning Staff had arranged the text amendment in a staff report format since they are preparing to present the proposed text amendment to a joint Public Hearing and Planning Commission meeting at the end of this month. She explained that Ms. Allison Meade, Town Attorney, has not yet reviewed this proposed text amendment. She noted that she might make proposed changes in her review of it.

Chair Plaag pointed out the following minor corrections:

- On packet page 28, bullet point item beginning with “Artwork should have,” add “be” before scaled
- On packet page 28, bullet item beginning with “Historic signs,” change “painted of side walls” to “painted on side walls”

Discussion ensued on the proposed Planning Staff changes to the Public Art Standards in the Historic District. Ms. Mitchell pointed out that the proposed text change in the first bullet point, at the top of packet page 28, was language from Appendix D, 11.3 in the section for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the district. She explained that at the last HPC meeting, she stated some other items related to public art that might need to be addressed and merged while working on the public art text amendment. Ms. Mitchell suggested merging different sections, such as on packet page 29; the first bullet point item was language from Appendix D, Section 11.4. She pointed out that the proposed Section 12.5 has existing language from Section 9 that relates to Monuments.

Ms. Mitchell explained that on packet page 30, the words shown in red strikethrough were originally the Monuments section's narrative introduction. She said this language did not seem to fit the revised text's context. She asked the HPC their thoughts on this section and about merging that portion of the text.

Chair Plaag said he had no objection to merging the material from Section 9 regarding Monuments into the proposed section. He suggested revising the redlined text to read: “For existing monuments in the Historic District, determination of ownership should be pursued by the Town to resolve open questions

regarding responsibility for maintenance and upkeep.” He further explained that it would be helpful for the Town to know who is responsible for and who owns things, even when they are in a public way.

Chair Plaag noticed that Ms. Amber Bateman, Director of the Watauga Arts Council, was in attendance. He asked her if she had any questions about public art. Ms. Bateman wondered if a certain person or entity in the Town could identify whom the owner or responsible party is for existing Downtown monuments. He thought it was within the purview of the Planning and Inspections Department to determine when features exist in the streetscape or on private or public property; further, he believed Planning and Inspections would be responsible for those things to be able to enforce compliance with the zoning requirements. Ms. Shook explained that this situation would need to be reviewed case-by-case to see if there is a budget to hire a surveyor or do other research. She said the Planning and Inspections would probably not be the final decision maker on said topic, and possibly the Public Works Department would be involved.

Ms. Shook explained that a formal decision does not need to be made on the public art text amendment by the HPC. However, she said the HPC could recommend that the Council and the Planning Commission approve the amended text amendment. She further explained that this was the last time the HPC would have a chance to review this proposed text amendment before the hearing.

**Motion and Vote:**

Vice-Chair Bond made a motion, seconded by Member Watkins, that the Council and Planning Commission adopt the amended Public Art Standards in the Historic District UDO Text Amendment

**Vote:** Aye – All

Nay – None

**The motion passed.**

**Demolition Standards in the Historic District – Draft Text Amendment**

Ms. Mitchell referred to the proposed changes on packet page 43. She said that Ms. Meade did review a portion of the proposed text, and it was her opinion to not duplicate the demolition section in Appendix D since it is already in Article 8 of the UDO. Ms. Mitchell said that Article 8 covers the historic district and historical landmarks.

Discussion ensued on Article 8.08.01(A)(3). Ms. Mitchell said that when the Planning Staff read this section, it seemed like the documentation would only be required if it was waived or reduced. She said they wondered if it’s not waived or reduced for demolition, how would we rewrite it so that the documentation is required each time. She asked the HPC if there was a consensus that the documentation would be warranted each time. Chair Plaag explained the process of the one-year waiting period for demolition, which is to work with the applicant on meeting the requirements. He confirmed with Ms. Shook that after one year, an applicant could apply for a permit to demo if they meet all other requirements and there is nothing to prohibit the demolition; Ms. Shook agreed. Chair Plaag said he did not think we could have a blanket requirement for an applicant to complete documentation. He said this could be used as a condition for a reduced timeline for demolition, and it could speed up the process by six months, then the applicant might be happy to document the building. He also said he did not know to think it would be either enforceable or good practice to require documentation as a blanket policy.

Discussion ensued on a possible blanket policy. Chair Plaag suggested asking Ms. Meade about the possible blanket policy, independent of the standards for the district. He explained that it could be a separate policy and required as part of the overarching demolition ordinance. He said if this is a possibility,

then he would support it. He said the Town might be able to do it through its enforcement mechanisms. Ms. Shook told since this is the final review of this proposed text amendment, she will consult with Ms. Meade on it.

Chair Plaag suggested the following proposed changes to this draft text amendment:

- On packet page 38, Article 8.08.01(3) in the second line change, “document” to “documents”
- On packet page 42, in the 1#(B) in the first line, add a comma after “undertaken.”
- On packet page 42, with the item beginning with “In the circumstance, a structure,” change “relocated to the historic district” to “relocated building is congruous with the historic district.”
- On packet page 42, the factors to be considered could be listed in this section. For instance, including “the considerations will include, but not limited to architectural styles, scale, orientation, buildings, spacing, setbacks, height, massing, and distance from other buildings.”

Ms. Mitchell compared Article 8.08.01(3) to the proposed text in the Relocation section (beginning with “The owner is to record”) regarding documentation. She stated that Staff is considering how to make the language in both sections the same. She asked the HPC if it would be more preferred to have the language including the HABS guidelines, the list of features (as in the Relocation section), or a combination of the two concerning documentation. Chair Plaag suggested having the HABS in both places, merging the list of other features to be included, and getting the broadest level of documentation you can get. He said the standard should apply equally to demolition and relocation. Ms. Mitchell clarified that the suggestion was for relocation, to revise the language to include HABS on packet page 41 and for demolition to incorporate a list on packet page 38.

Ms. Mitchell also explained that Staff was considering adding language regarding when such documentation is requested, to include within these standards a procedure for the applicant on how the documentation will be presented to the HPC. She asked the HPC if the documentation should be brought to the advisory or quasi-judicial session based on the case and how the HPC would like the documentation to be presented to them.

Chair Plaag talked about a possible 90-day period as a condition upon the applicant to complete the documentation and have them provide the report. He said the HPC would determine if they could approve the reduced time. He said he thought this would occur at the quasi-judicial session, and he stated that there needs to be a way that they don’t incur a new fee. He said it might be that the hearing is continued until documentation is completed.

#### **Motion and Vote:**

Member Watkins made a motion, seconded by Vice-Chair Bond, that the Historic Preservation Commission recommend adopting the proposed changes to the draft Demolition Standards – Historic District – UDO Text Amendment.

**Vote:** Aye – All

Nay – None

**The motion passed.**

Ms. Shook noted that the next HPC Quasi-Judicial hearing date after July 12, 2022, previously discussed by the HPC, will need to be July 26, 2022, because Ms. Meade is not available on July 19, 2022.

Chair Plaag urged the HPC members to review the cases in the meeting packet to prepare for the July 12, 2022, Quasi-Judicial Hearing.

**Discussion of Existing Café Portofino Building – Town Council Request for Consensus by the HPC on Historic Value/Additional Facts of Building**

Chair Plaag reminded members to keep in mind that they should not discuss the report that appears in the meeting packet submitted by the applicant or the anticipated future use of the site. He said the HPC's conversation on this topic should focus solely on what Staff is about to present.

Ms. Shook and Ms. Mitchell explained that at the last Council meeting, the applicant submitted a written request to offer the building to the Town of Boone. Ms. Shook said that during their discussion, the Council wondered if certain parts of the building were historical and which parts were those that are historical or non-historical before they even considered the possibility of hiring someone to move the building. She said the Council discussed when and where they could use it. The Council decided that they needed some basic information before moving the building.

Chair Plaag said the property had been designated as significant to the district's history, not architecturally. He said it is a contributing building to the historic district, and it is Boone's only surviving vestige of what was once a robust tobacco trade that was essential to Boone's economy. He said it is historically significant because it is the last thing that speaks to a rather important part of Boone's economic history. He said this is an opportunity for the Town, if it wanted, to negotiate with the applicant on relocating the building somewhere and salvaging elements of the building.

Ms. Shook responded that the report the HPC now has provided by the applicant could be forwarded to Council for further consideration.

Council Liaison Roseman said the Council first discussed that the building is worthy of salvaging and moving and if there were funds to move it. Additionally, she explained that Council considered if the Farmer's Market wanted the building. She further stated that those considerations still have to be made. She said Council decided to ask the HPC to give them feedback on it before they make a financial commitment to it.

Chair Plaag pointed out that it would be the Council's decision if they wanted to hire an engineer to look at the building who is experienced in moving historic buildings, to tell them if the building is worthy of salvaging or not. Council Liaison Roseman stated that Council wants information gathered that would help to determine if it is worth entertaining the idea of considering the next steps.

Chair Plaag said that before the HPC makes a formal recommendation, he suggested that between the discussion of this case on next Tuesday's agenda, the HPC would have an opportunity to evaluate the report and either approve it or not approve the report that the applicant submits. He suggested that if the HPC approves the report that they immediately make a recommendation to Council to approve it. There was consensus from the HPC members on Chair Plaag's suggestion.

**Downtown Boone Walking Tours Brochure**

Vice-Chair Bond began discussing the Downtown Boone Walking Tour Brochure created by Mr. Mark Freed, Director of Cultural Resources, and his team, who created the brochures. Council Liaison Roseman asked about the QR code on the Walking Tour brochure. Mr. Freed said the QR code came from the original walking tour that was put together from an application called Pocket Sites.



Vice-Chair Bond suggested that the Watauga County Historical Society work with Mr. Freed on revising the brochure and prepare it for the next printing. She said that sponsors would be needed for the re-printing of it. She pointed out that the HPC would not be concerned with it this way.

Council Liaison Roseman suggested that Mr. Freed check with the Marketing Department students at Appalachian State University to help with the brochure possibly. She said their service is free and gives the students class credit.

Vice-Chair Bond left the meeting at approximately 4:30 pm.

#### **Project Updates by Planning Staff**

##### **Minor/Major Work – COA Revision – UDO Text Amendment**

Ms. Mitchell noted that the Council approved this text amendment, and it is in the UDO and on the Town website.

##### **Certified Local Government (CLG) Application Status Update**

Ms. Mitchell said she had contacted Ms. Kristi Brantley at the North Carolina State Historic Preservation Office (SHPO). She explained that Ms. Brantley had reviewed the draft application and suggested some minor revisions. She will contact Ms. Brantley on the timeline for final submission. She explained that the minor revisions were to include Comprehensive Plan Policies that are related to Historic Preservation. She said she needs to finalize the member resumes based on the current board members; she further stated that with no longer having a student member, she would edit those resumes if another one was to apply. She confirmed that Council Liaison Roseman could submit a resume as a Council Liaison to the board, but she is not required to submit a resume. Council Liaison Roseman said that she would submit her resume to Ms. Mitchell.

##### **Status of Digital Watauga Project and Proposed Local Landmark Designation Reports**

Discussion ensued on the Digital Watauga photography project and the proposed Landmark Designation Reports. Ms. Shook explained that the decision had been made that the project and the reports would be done. She said she has the approval to bring in an intern without going through the application process. She said a part of the administration's intern money would be used for the reports and the rest for the digital photography project. She said the funds for these topics have already been approved; she said she would use the internship funding, and the rest of the funding will come from the Planning and Inspections Department. She said she hopes to get started within the next couple of weeks on these projects. Ms. Shook agreed to contact Digital Watauga to discuss the setup of the intern and the projects.

##### **Status of Historical Markers (Hayes-Bryan-Greene Cemetery, Council's Store)**

Ms. Mitchell stated that she contacted Sewah Studios about one month ago to check the status of the markers. She requested proof of the markers, allowing Staff to check the marker text. However, she said she had not yet received the proof. She said she would contact them again as soon as possible to get an update.

##### **Boone 150 Project Updates**

Mr. Freed reviewed past Boone 150 events, including the Boonerang Festival, the kickoff of the summer concerts, Blue Ridge Community Theatre Happy Birthday Boone Production at the Appalachian Theatre, Independence Day Celebration with fireworks in collaboration with the Marty Stuart concert, Independence Day Parade, the gathering of Boone's Living Mayors, and various, ongoing events at the Watauga County Library. He stated that the Boone Reads programs would continue through the end of

the year. Additionally, he explained that the Boone 150 events would include a Boone Summit event and guided cemetery walking tours in the fall.

### **Project Updates by HPC Members**

#### **Watauga County Jail Local Landmark Designation Report**

Ms. Mitchell informed the HPC that this was the revised report based on the changes discussed at the last meeting. She is preparing an action request to send the revised report to Council for their approval. She said that once Council approves the report, she will contact Ms. Brantley at SHPO so that they can begin their review. She explained that the review process by SHPO would be a 30-day review time.

Chair Plaag noted that the following interpretative panel topics are on the HPC's work plan for the Boone 150 related topics.

#### **Boone Cemetery Interpretative Panels**

Chair Plaag said he would begin to work on the draft language and thought he could have it for the HPC's review by the September 2022 HPC meeting.

#### **Stoneman's Raid Interpretative Panels**

Chair Plaag said he would begin to work on the draft language and thought he could have it for the HPC's review by the October 2022 HPC meeting.

Chair Plaag noted that he would like to start positioning the HPC to work toward completing these tasks well before the end of the year. He said this doesn't mean that the actual panels will be installed by the end of the year. He said he would like to hopefully have the draft proposals to Council by December 2022 to request funding for those to be completed.

Chair Plaag noted that Ms. Shook had informed him that the HPC's fund that existed for many years is now empty. He explained that anything the HPC does would have to be funded by Council. Ms. Shook confirmed that everything that the HPC has planned is supported, including the two markers that Ms. Mitchell is working on, the two landmark reports of the town properties, and the work with Digital Watauga. She said the HPC would be in a position to request Council to add money back to that funding next year. Ms. Shook also noted that the former Town Manager, Mr. John Ward, had moved some of the HPC funding to the legal fees line item to cover the Town Attorney's participation in the Quasi-Judicial process.

### **Other Discussion**

Member Watkins asked Chair Plaag about three murals he saw on buildings while driving down Howard Street. The murals were located on the ECRS building, the side of the Magic Cycles store (behind the Shoppes at Farmers building). Chair Plaag said these murals were there before the adoption of the Historic District. Member Watkins also noted some graffiti on a couple of buildings. Ms. Paige Henderson pointed out that the Downtown Boone Police Officer is working with the property owners on this issue.

Chair Plaag reminded Ms. Henderson to let the property owners know to coordinate with the Planning and Inspections Department so they can work with them on removing the graffiti.

### **Recess of HPC Advisory Session**

Chair Plaag recessed the meeting at 4:56 pm until the Quasi-Judicial hearing on Tuesday, July 12, 2022.

---

Eric Plaag, Chair

---

Marlene Crosby, Board Secretary

# **DOCUMENTATION**

for

**Austin Tobacco Company Prize Room (WT0877)  
970 Rivers Street  
Boone, North Carolina  
Watauga County**

**Prepared for:**

**Rivers Street Ventures, LLC  
PO Box 2675  
Boone, NC 28607**

**Prepared by:**

**Acme Preservation Services, LLC  
825C Merrimon Avenue, #345  
Asheville, NC 28804**

**June 2022**

# **Documentation for Austin Tobacco Company Prize House (WT0877) 970 Rivers Street, Boone, North Carolina**

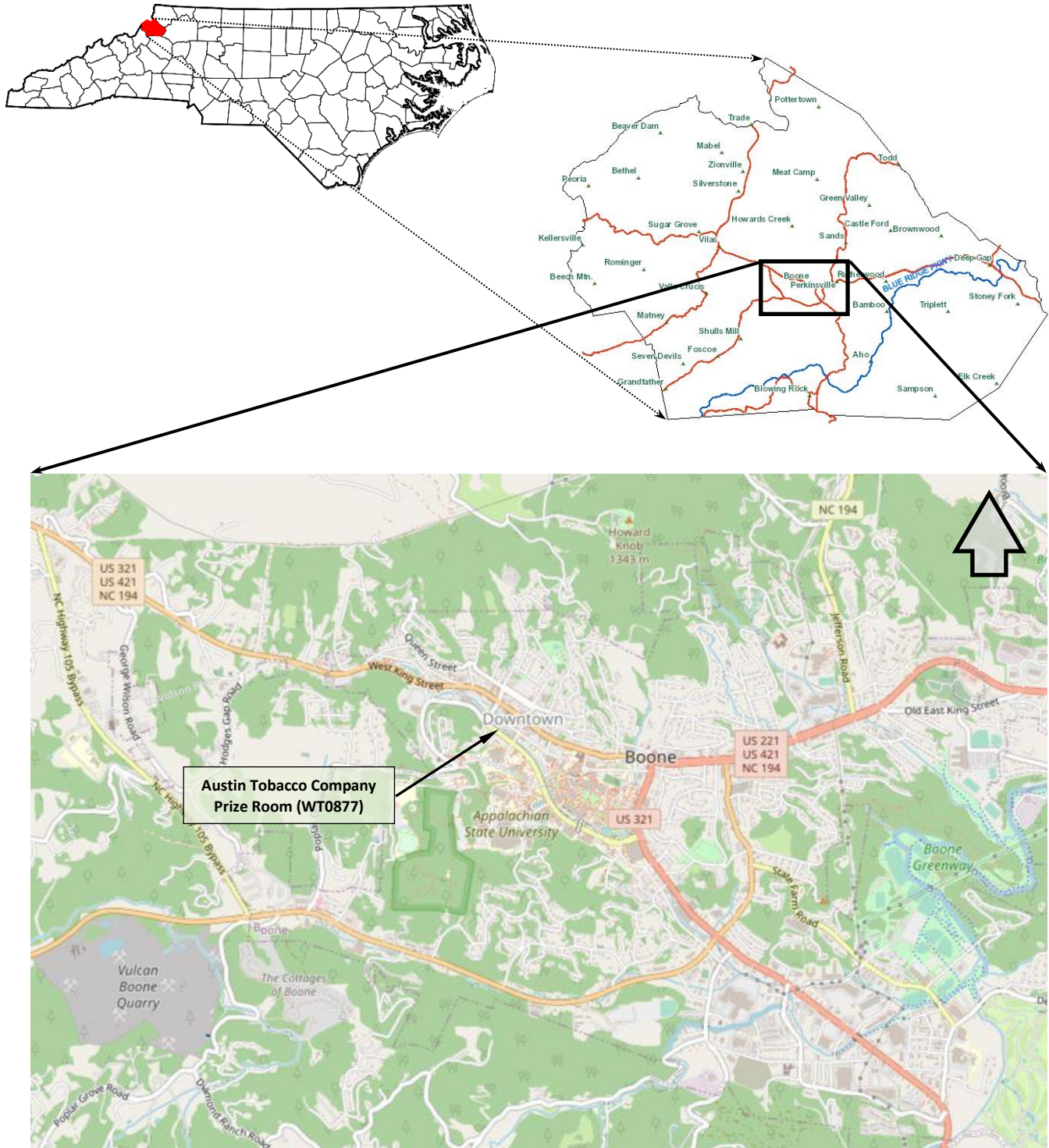
## **I. Introduction**

Rivers Street Ventures, LLC, owners of the Austin Tobacco Company Prize Room (WT0877) at 970 Rivers Street in Boone, propose to demolish the building for new construction. The Prize Room is located in the southern section of the Downtown Boone Local Historic District, designated by the Town of Boone Historic Preservation Commission (HPC) in 2021. On May 10, 2022, Rivers Street Ventures applied for a Certificate of Appropriateness (CoA) for Major Work from the HPC. As a condition of issuing a CoA, the HPC requested that the owners document the building through written descriptions and photographs to be submitted to the Commission within 90 days. Rivers Street Ventures engaged Acme Preservation Services (APS), a historic preservation consulting firm, to complete the building documentation for submittal to the HPC. The following summary report, written descriptions, and photographs were prepared to fulfill the requirement of the HPC.

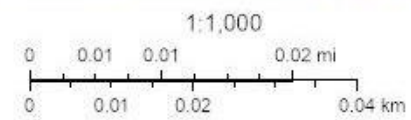
## **II. Methodology**

On June 7, 2022, APS architectural historian Clay Griffith conducted a site visit and extensively photographed the property at 970 Rivers Street, which has been occupied by the Café Portofino, a restaurant and bar, for the past 22 years. A full complement of interior and exterior views was taken, as well as photographs showing the building's relationship to the street and adjacent structures. The photographs were captured in a digital format and labeled according to the applicable guidelines of the North Carolina State Historic Preservation Office (HPO). Additional photographs and aerial drone views taken in May 2022 were provided by Judah Goheen of the Winkler Organization. A selection of representative photographs is included as part of this report, while the full set of images is available electronically. APS staff preparing the documentation meet the professional qualifications standards used by the National Park Service and defined in 36 CFR Part 61.

### III. Project Location Maps

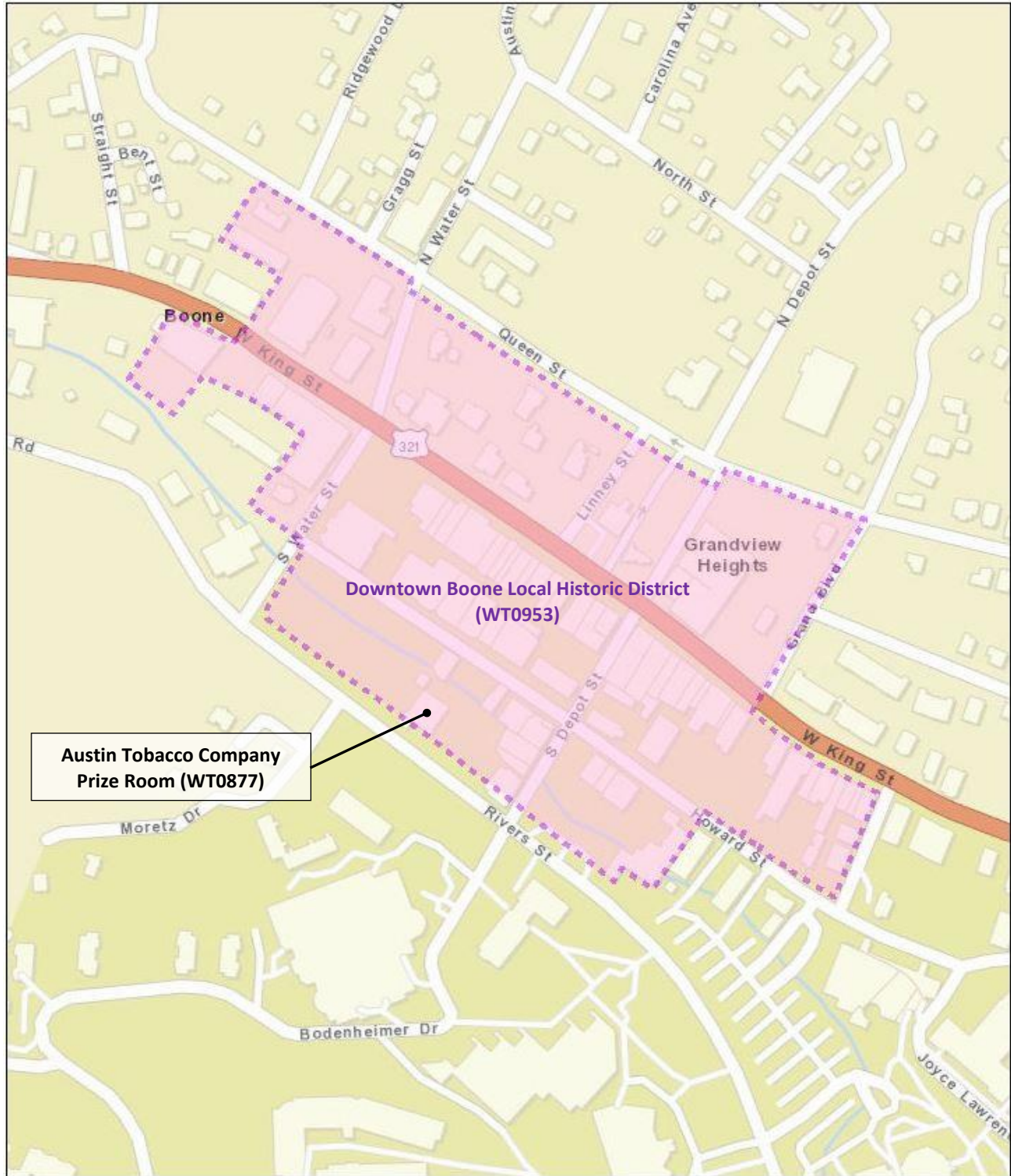






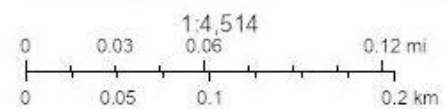
**Austin Tobacco Company Prize Room (WT0877), 970 Rivers Street, Boone, NC**  
 (Source: HPOWEB 2.0)





 Local districts & boundaries

Source: HPOWEB 2.0







**Downtown Boone, view to northeast (Rivers Street in foreground)**  
 (Goheen drone view, May 2022)



**Downtown Boone, view to southeast with Howard Street at left and Rivers Street at right**  
 (Goheen drone view, May 2022)





**Austin Tobacco Company Prize Room, 970 Rivers Street, view to northeast**  
(Goheen drone view, May 2022)



**Austin Tobacco Company Prize Room, 970 Rivers Street, oblique view to east**  
(Goheen drone view, May 2022)

## IV. Property Description

|                         |                                        |
|-------------------------|----------------------------------------|
| Resource Name           | Austin Tobacco Company Prize Room      |
| HPO Survey Site Number  | WT0877                                 |
| Location                | 970 Rivers Street, Boone, NC           |
| PIN                     | 2900-78-7965-000                       |
| Date(s) of Construction | 1939                                   |
| Eligibility             | Downtown Boone Local Historic District |



**Austin Tobacco Company Prize Room (WT0877), 970 Rivers Street, façade, view to northeast**

Located on the northeast side of Rivers Street, the Austin Tobacco Company Prize Room is a one-and-a-half-story frame warehouse built in 1939 by W. H. Gragg, secretary of the Watauga Building and Loan.<sup>1</sup> Gragg demolished an earlier building used to store fertilizers and erected a new 70-foot-by-70-foot warehouse to be used for tobacco sales during market season. The Austin Tobacco Company only used the building a few years before Gragg advertised for a new tenant in 1941. Subsequent owners stored insecticides in the building for many years. In the late twentieth century, new owners opened a retail store in the building and added a one-story shed-roof wing to the front

<sup>1</sup> Background information about the property is adapted from Dr. Eric W. Plaag, “Comprehensive Survey of Downtown Boone, North Carolina – FINAL REPORT,” Carolina Historical Consulting, LLC, Boone, NC, February 2021, 310-313.



at the southwest corner. From 2000 until early 2022, Café Portofino, a restaurant and bar, occupied the building.

Roughly square in plan and set back from the sidewalk approximately 20 feet, the building rests on a foundation of wooden posts and is covered with plywood siding. The roof consists of wood decking covered with a rubber membrane. Three square skylights are located on the roof illuminating the central corridor and a small mezzanine at the northeast corner of the building. The narrow area between the building and the street is paved and striped for five parking spaces. A gravel parking area on the northwest side of the building, along with a paved patio, wooden decking, and railings forms an outdoor gathering space on the west side of the property. Boone Creek emerges from a culvert beneath the paved surface parking lot to the west of the Prize Room lot and crosses the northern portion of the property. The northwest corner of the building, supported by wooden posts on natural rock and poured concrete piers, spans the creek as it passes through the property.

The one-and-a-half-story façade of the Prize Room building has a flat parapet, an attached one-story shed-roof porch with metal roofing, and the projecting shed-roof wing added in the 1990s. An attached wooden deck carries across the façade and provides access to the two front entrances. A replacement single-leaf entry door is located near the junction of the façade and front wing; the entrance is flanked to the east by a single replacement one-over-one double-hung window that has been boarded over. The second entrance is located at the east end of the façade and consists of double-leaf multi-light doors with the windows boarded up. A pair of boarded up replacement one-over-one double-hung windows are positioned on the façade between the two entrances. Supported by square wooden posts with diagonal brackets, the attached porch shelters the facade from the front wing to the east entrance. Six irregularly spaced replacement one-over-one double-hung windows are located on the upper façade, and the two windows at the west end have been boarded over. The one-story front wing is similarly finished with plywood sheathing and a rubber membrane roof. A pair of wood-frame casement windows on the east elevation of the wing are boarded over. On the west elevation, the shed roof extends to form an engaged porch with a wooden floor and supported on square wooden posts with diagonal brackets. Double-leaf doors with nine lights above a cross-braced panel enter the wing from the porch. A single, boarded-up plate-glass window pierces the wall to the south of the entrance. A cantilevered wooden counter supported by triangular brackets is positioned beneath the window.

The northwest side elevation of the original Prize Room is relatively plain and clearly exhibits the front-to-back slope of the shed roof. Covered with plywood sheathing, the elevation displays a pair of single-light wood-frame casement windows, a replacement sliding sash window, a square vent with metal louvers, and other exterior utility lines and conduit. A horizontal wooden batten covers the seam of plywood siding and marks the ceiling height at the front of the building, where apartments are located above the main floor. An attached metal stair rises against the exterior wall

to a metal landing supported by metal pipe columns. The landing forms an entry porch for the upper-story apartment, which is accessed through a replacement single-leaf six-panel door. The entrance is sheltered by an attached canopy roof with square wooden posts and a thin metal railing. The porch roof follows the front-to-rear slope of the main roof. Boone Creek passes under the northwest corner of the building at the north end of the elevation, which is supported by thick wooden posts.

The rear elevation of the building has an open eave, plywood sheathing, and a horizontal wooden batten along the seam of the plywood sheets. On the eastern third of the elevation, the siding extends nearly to the ground but stops higher on the western two-thirds where Boone Creek passes under the building. Five window openings are irregularly spaced across the upper portion of the rear elevation and contain replacement one-over-one double-hung sash. A replacement one-over-one window that illuminated a lower-level storage room is boarded over.

The southeast side elevation is similar in appearance and finish to the opposite side elevation. Covered with plywood sheathing, the elevation has an attached metal stair and exterior landing for an upstairs apartment, exterior utility lines and conduit, and two replacement one-over-one double-hung sash windows. A replacement single-leaf six-panel door is positioned at the center of the elevation and is accessible from an attached wooden deck and stairs. The door opening is framed by thin molding, and the deck has a wooden railing.

The interior of the building reflects its use over the past 22 years as Café Portofino, a local restaurant and bar. Interior partitions and material changes signal areas used for the dining room, kitchen, bar, waiting areas, restrooms, office, and storage. The original volume of the warehouse remains visible in portions of the restaurant dining room and the lounge at the rear of the building. Original hardwood floors, flush horizontal plank walls, square wooden posts, and exposed roof joists and rafters are among the few visible vestiges of the original Prize Room, where processed tobacco was packaged and weighed prior to distribution. Additional wooden posts and beams have been added throughout the building to support the two apartments located above the front portion of the building.

The restaurant was entered through the double-leaf doors at the east end of the façade, which open into a vestibule created by partially open partition walls and containing wooden benches and a hostess station. An open doorway connects to main volume of the dining room. A low platform bordered by a metal railing is located to the east where a section of exposed wall boards is visible around a single-leaf door to the exterior. On the west side of the vestibule, the dining room has a low ceiling due to the apartments above and the intimate space features a finished sheetrock ceiling, square wood posts and exposed beams, and wood plank walls. A wooden counter separates the dining room from the kitchen, which extends to the rear wall of the building. The kitchen displays a ceramic tile floor and acoustical tile ceiling. A prep counter divides the kitchen, but the appliances have been removed. A stainless-steel hood and backsplash located along the west wall are the only remnants of the cooking equipment. At the northeast corner of the restaurant, a split-level



mezzanine and office are accessible from wooden steps. A walk-in cooler is located against the east wall of the building and partially framed by wooden partition walls. Open wood steps rise to the mezzanine area, which appears to have been an extension of the dining room with flush plank walls, exposed rafters, and a linoleum tile floor. A single-leaf wood door located adjacent to the mezzanine steps opens onto a second set of steps that descend to an office and storage room. The lower-level space has wood paneled walls, linoleum tile floors, and an unfinished ceiling.

The bar area of the former Café Portofino was entered through the single-leaf entrance at the center of the façade. Opening into a center passage that connects through to a lounge at the rear of the building and to an L-shaped bar to the west. The passage has a low, sheetrock ceiling, wood paneled walls, and vinyl floor coverings. A fixed eight-light window on the east wall overlooks the dining room on the other side of the partition wall. The west wall consists of a large, framed opening to the that accesses the bar area and interior of the front wing. The room occupied by the L-shaped wooden bar is finished with wood paneled wall and vinyl floor coverings. The low ceiling with exposed wooden beams reflects the location of an apartment above this space. Another open passage through the bar area provides connection to the front wing, which consists of a single open room with sheetrock walls and ceiling, vinyl floor coverings, and a single step down into the space. Double-leaf doors on the west wall open to the porch and patio on the northwest side of the building. A single interior wooden post forms the corner of a small, raised stage at the front of the wing, which has a metal railing along its east side.

From the bar entrance, another framed opening connects to central corridor that links the bar with the lounge at the rear of the building and the dining room to the east. Open to the ceiling and lit by a skylight, the interior room has vinyl floors, wood paneled walls, and exposed HVAC ducts in the upper part of the space. Two single-leaf six-panel wooden doors provide access to the bathrooms, and a wooden ladder against the west wall accesses a storage room above the finished ceilings of the bathrooms. A single-leaf wooden door with three horizontal lights over three horizontal panels on the east wall opens into the dining room. Double-leaf hollow-core wood doors on the north wall open into the lounge area at the back of the building, but one of the doors appears to have been removed.

The lounge is a large room at the rear of the building for bar patrons, billiard tables, and darts. Open to the exposed rafters and joists of the ceiling, the lounge is finished with hardwood floors, sheetrock and wood paneled walls, and a skylight. A single interior wooden post supports a wood joist that has been reinforced by steel I-beams attached to either side. A similar wood post and reinforced beam arrangement occurs on the east wall of the lounge, which is a partition wall separating the space from the kitchen. The partition wall is covered with wood paneling below a horizontal batten and wood lattice above.

Apartment A, located on the upper story at the front of the building and accessed from the exterior on the northwest side, consists of a main living room and kitchen area, two bedrooms, and

a bathroom. The L-shaped living room and kitchen area is entered through a replacement single-leaf door from the exterior stair landing and the restroom is located adjoining the kitchen. The interior is finished with sheetrock walls, engineered hardwood flooring, electric baseboard heating units, and a gently sloping ceiling reflecting the building's roof shape. Kitchen cabinets and appliances are located at the north end of the space where the ceiling height is the lowest. A short hallway, located along the front wall of the building, is accessible from the living room by a single step down and opens into the two bedrooms, which are similarly finished with wood floors, sheetrock walls, electric baseboard heat, and a small closet partitioned in the corner of each room.

Located on the upper story at the front of the building and accessed from the exterior on the southeast elevation, Apartment B consists of a main living room and kitchen area, two bedrooms, and a bathroom. The L-shaped living room and kitchen area is entered through a single-leaf wooden door from the exterior stair landing. Composed of six lights over three horizontal panels, the upper portion of the door has been covered with plywood. The interior is generally finished with sheetrock walls, engineered hardwood flooring, electric baseboard heating units, and gently sloping ceiling reflecting the building's roof shape. An exposed wooden roof beam is visible in the kitchen and front bedroom, which is partitioned against front wall of the building. Beyond the kitchen, a short hallway accesses the front bedroom and bathroom opposite before terminating at the door to the second bedroom. The two bedrooms are similarly finished with carpeted floors, sheetrock walls, electric baseboard heat, and small closets. The bathroom has a ceramic tile floor, sheetrock walls, toilet, vanity, and a tub and tile shower.

#### *References:*

"Digital Photography Policy." North Carolina State Historic Preservation Office, Raleigh, NC, May 2022.

Plaag, Eric W. "Report and Recommendation for the Designation of the Downtown Boone Local Historic District, Boone, North Carolina." Boone Historic Preservation Commission, Boone, NC, April 2021.

----- "Comprehensive Architectural Survey of Downtown Boone, North Carolina – FINAL REPORT." Carolina Historical Consulting, LLC, Boone, NC, February 2021.

## V. Representative Photographs



Façade, view to north



Façade, oblique view to northeast





**Southwest corner, view to northeast**



**Northwest side elevation with Boone Creek below the northwest corner, view to east**





**Rear elevation, oblique view to west**



**Southeast side elevation and property boundary, view to southwest**





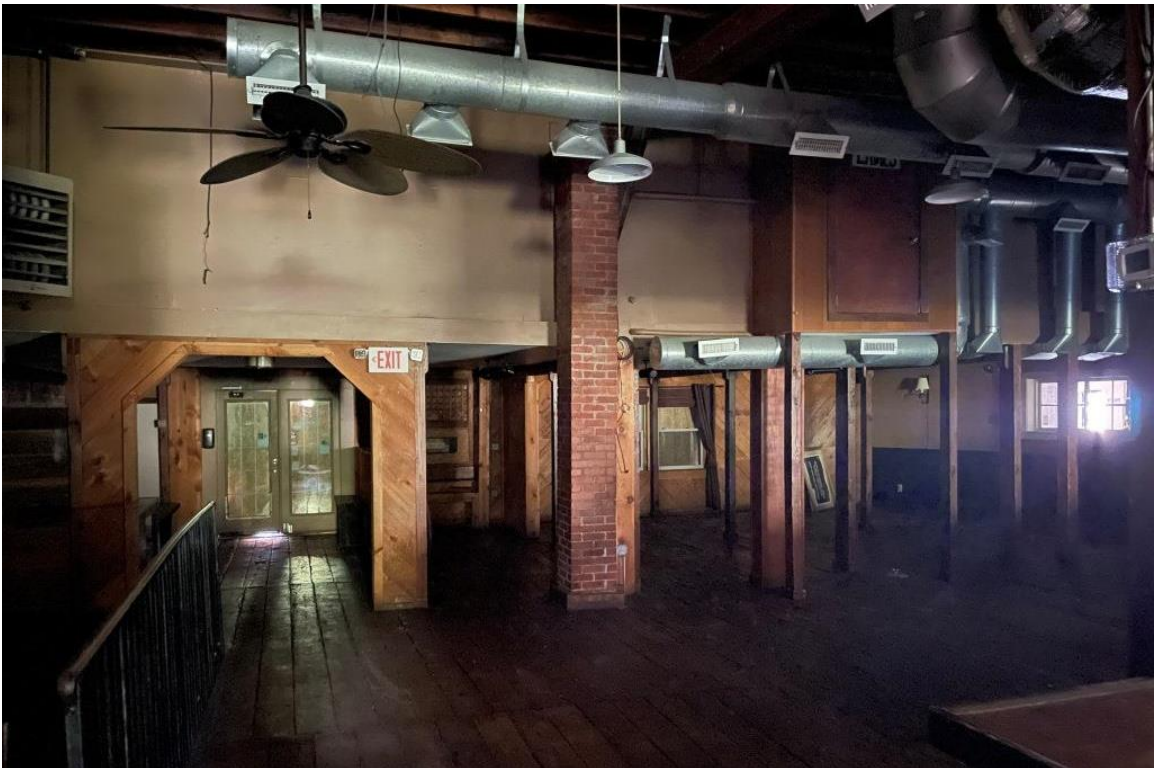
Central entrance door on southeast side elevation, view to north



Entrance to Apt. B on southwest side elevation, view to west



**Main dining room, view to southeast**



**Main dining room (entrance vestibule at left), view to southwest**





Restaurant kitchen, view to north

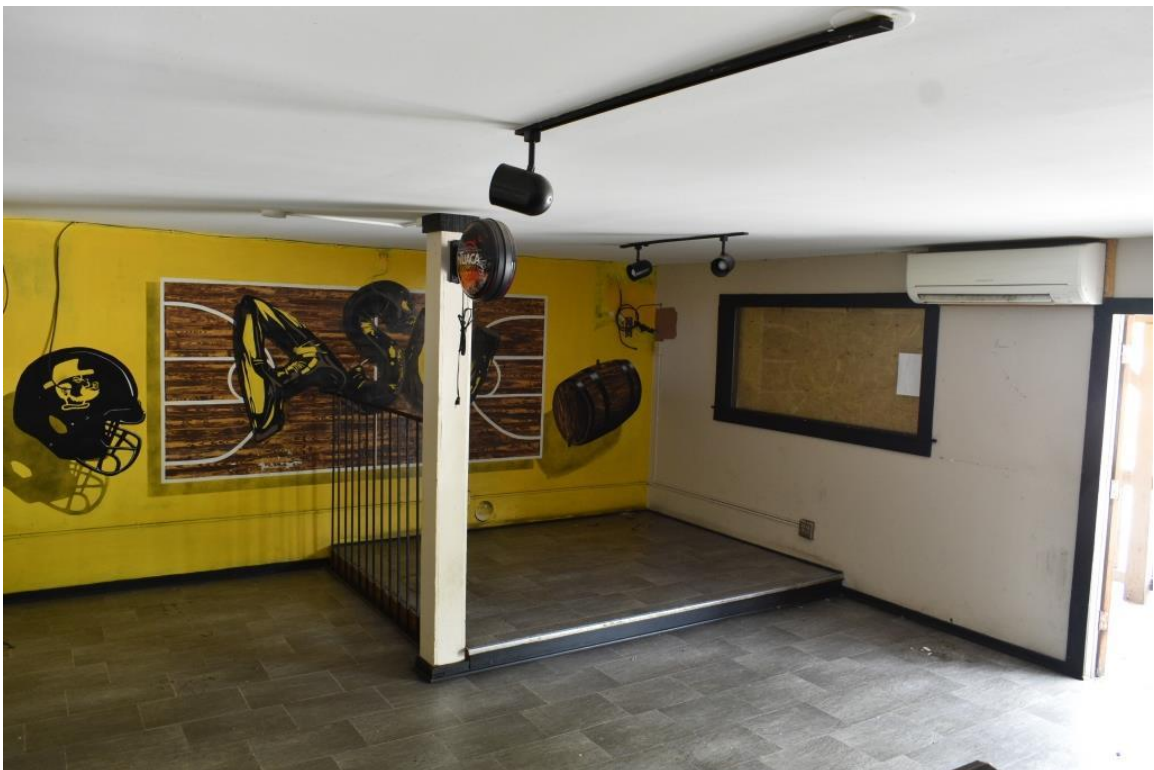


Mezzanine at northeast corner, view to northeast





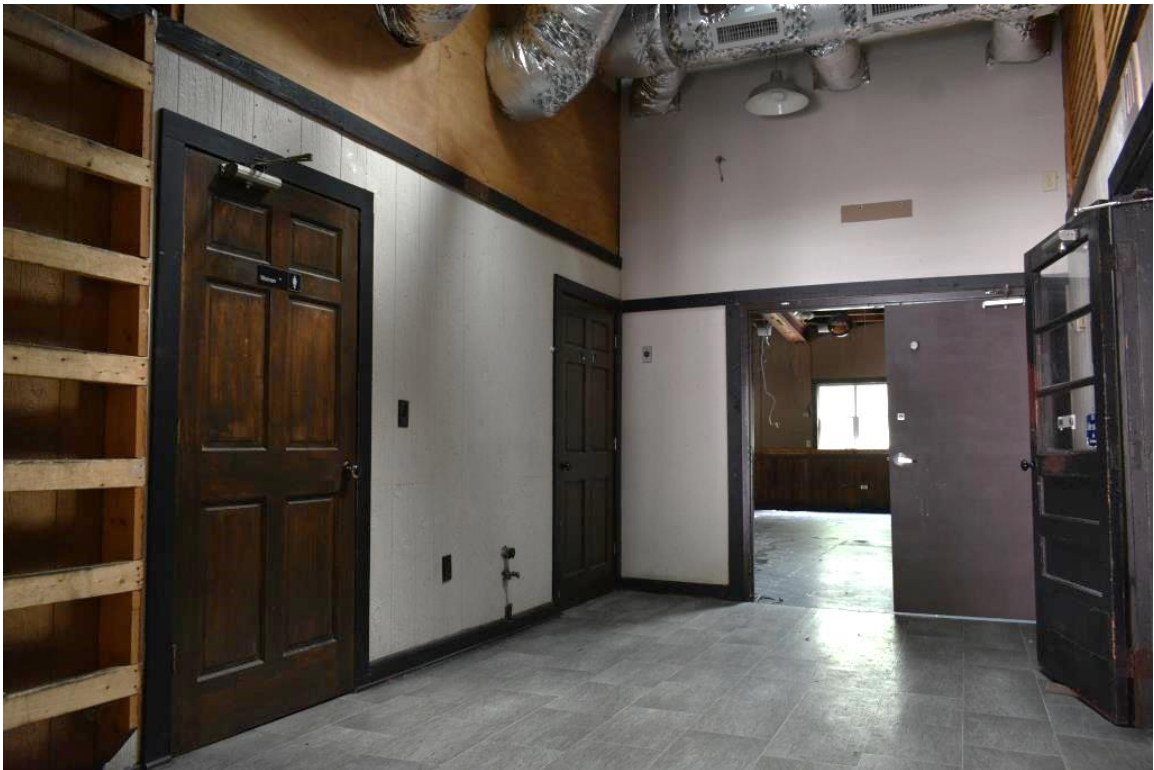
Entrance corridor for bar, view to north



Interior of front wing, including stage, view to southwest



Interior of front wing, view northeast to bar

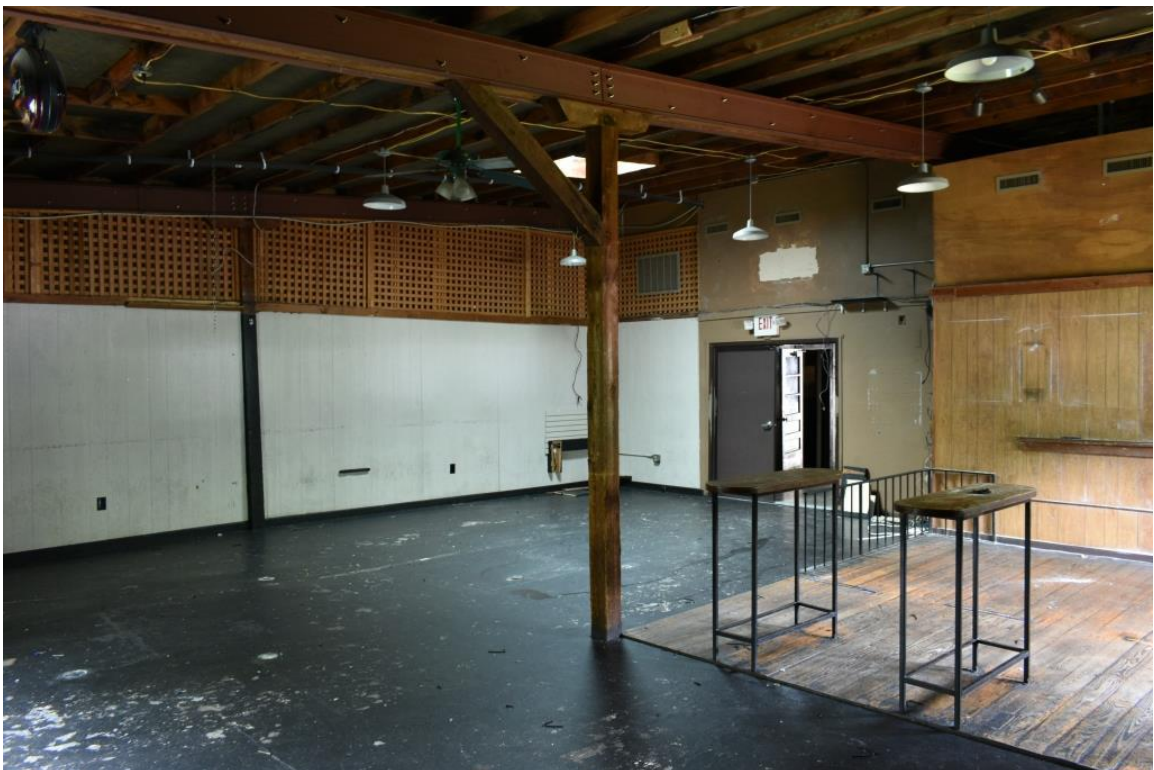


Central corridor and bathroom, view to north





Lounge interior, view to north



Lounge interior, view to south





**Apartment A, living room, view to southwest**



**Apartment A, bedroom, view to southwest**



**Apartment B, living room, view to southwest**



**Apartment B, bedroom, view to southwest**

horizontally. Where a parapet intersects with a pitched roof element, there shall be no apparent breaks in the parapet wall.

- 13.9 Residential roof types are discouraged, except in historic properties that were originally residences or historic commercial properties that historically featured a residential roof type.

#### *14. New Construction of Commercial Buildings within the District*

It is inevitable that new commercial buildings will be constructed within the District. The intention of these design standards is not to prevent such changes but to ensure that new construction is compatible with and complementary to the integrity and architectural character of the District. While new commercial buildings should not attempt to replicate existing historic properties, they should mesh with and support the historic design principles of the other commercial properties in the District. These standards are intended to preserve the integrity of the District while also encouraging sensitive and appropriate new construction.

- 14.1 New commercial construction within the District should not seek to duplicate historic buildings in the District or mimic their appearance. That said, new construction should strive to be sensitive to and compatible with the character-defining features of the commercial properties in the District. Thus, new construction should employ architectural design that reflects its current time, place, use, and culture, provided that this design is compatible with the character of the District.
- 14.2 New construction should incorporate the predominant historic materials typical in surrounding historic buildings when possible—usually brick, native stone, structural glass, wooden trim, and similar historic materials. Synthetic, non-traditional materials, such as vinyl, synthetic stone, fiber cement board, aluminum, plywood, parging, and pre-formed concrete panels, are not permitted in new construction. It is NOT appropriate in new construction to use contemporary substitute materials in place of traditional materials. The use of the highest-quality, historically appropriate, exterior facing materials is encouraged.
- 14.3 Design, height, massing, and proportions of new buildings should complement and be compatible with the dimensions of neighboring buildings with similar character and style. New buildings should not overpower adjacent buildings or the District as a whole as a result of out-of-scale massing, footprint, height, or overhang. Roofs, fenestration, and materials should be compatible with surrounding buildings. Traditional separations between storefronts and upper facades should be maintained and consistent with those existing in adjacent or nearby buildings. Vertical divisions maintain the feeling of traditional building widths and should be maintained. New buildings generally should align with adjacent buildings



facing on the same street and conform to existing setbacks from the street. The primary façade and main building entry shall face the primary public way.

- 14.4           Reserved
  
- 14.5           The appropriateness of the site for a new commercial construction project will be evaluated based upon its compatibility with the district context in terms of setback, spacing, orientation, topography, height, and landscaping. New buildings should have setbacks, orientation, lot coverage, and spacing that align with existing historic properties and comply with the provisions of the Town UDO.
  
- 14.6           New construction should respect the existing topography and vegetation on the site. Large-scale grading to level or otherwise dramatically alter the natural slope of a lot is destructive to the historic landscape and is not appropriate. Whenever possible, existing trees and historic landscape features should be incorporated into the design for a new property. If large trees must be removed, they should be replaced with trees similar in type and species. During construction, any mature tree that will not be removed should be protected with appropriate fencing around the tree's canopy area that will eliminate construction parking, material storage, and concrete washout that could harm the mature tree.
  
- 14.7           The appropriateness of a proposed new commercial building will be evaluated based on compatibility in terms of scale, height, form, massing, materials, openings, roof pitch, roof type, and other details with the District context.
  
- 14.8           New commercial construction should incorporate architectural elements and details into new construction that provide human scale. Do not add fanciful decorative elements and colors that are out of place or not in keeping with the historic context of the District and/or adjacent historic properties.
  
- 14.9           Oversized and monumental scale architecture is not appropriate, and the overall height and width of the new buildings should be compatible with neighboring structures and Town UDO requirements.
  
- 14.10          Historically, most of Boone's downtown commercial buildings had flat roofs. Residential roof types are not permitted in new commercial buildings. Roof planes should be hidden from view on the façade, and rooflines should be decorated using historic decorative details, using historic photographs and/or neighboring buildings as a guide. Walls should not appear to terminate at flat roofs, except along the tertiary elevation. Instead, flat roofs should be concealed from view by using historically

appropriate pitched roof features, parapets, or a mixture thereof. Where only one elevation has this condition, the parapet or other feature will continue four feet along the adjacent elevation. The minimum slope for pitched roofs is four feet vertically to every twelve feet horizontally. Where a parapet intersects with a pitched roof element, there shall be no apparent breaks in the parapet wall.

(Ord. PL05826-062722, 07-27-2022)

### *15. Height, Width, Spacing, and Setback Requirements*

For details on building height, width, spacing, and setback requirements for commercial buildings in the Town of Boone, please consult the Town of Boone UDO. Generally speaking, building spacing, height, and width in the District shall maintain consistency with the spacing, height, and width of surrounding buildings to the greatest degree possible.

(Ord. PL05671-042722, 07-27-2022)

### *11. Public Art Standards in the Downtown Boone Local Historic District*

In the historic district, public art refers to works of art that are placed or created outside and intended for public appreciation. Such artworks include, but are not limited to, sculptures, monuments, murals, and mosaics. Functional aspects of streetscapes and landscapes, such as bridges, benches, and fencing may provide opportunities for artistic expressions and in certain situations will be evaluated as public art.

11.1 Public art installed in the Downtown Boone Local Historic District is to be reviewed by the Historic Preservation Commission for a Certificate of Appropriateness (COA). The HPC does not consider the content, subject matter, or style of any public art. The COA review is concerned with the mass, height, scale, durability, materials, method of installation, and placement of artwork. Artwork is reviewed with respect to these factors to determine if the artwork is congruous with the character of the historic district and the values of historic preservation served by the historic district.

11.2 The HPC will be focused on the following factors:

- The proposed artwork's relationship to character-defining façades or features (such as doors and windows) of a historic building or other structure.
- The proposed artwork's placement within a historic streetscape or landscape
- The proposed artwork's physical impact on historic materials
- The proposed artwork's height, scale, and massing as it relates to the historic setting.

11.3 The following standards shall generally apply to proposed public artwork:

- Artwork should be placed only in locations that do not compromise or detract from the architectural integrity or historic character, design, or materials of the building, site, or district.
- Artwork should be placed only in locations that do not materially obstruct or otherwise interfere with the view of historic structures or vistas.
- Artwork should not permanently or irreversibly alter the historic character of nearby historically significant buildings or landscapes.
- Wall-mounted artwork, including murals, mosaics, or metal installations, should be placed only in locations that do not compromise



or diminish the overall design, architectural features, or pattern of the building, site, or district. Wall-mounted artwork may be placed on previously unpainted surfaces by methods of attaching the art to the surface without causing harm to the structure.

- Murals may not be placed around or on windows, doors, pilasters, cornices, building trim, roof lines, and other recessed or projecting features. Murals are appropriate for expanses of wall surfaces otherwise without significant architectural detail. The top of the mural shall not be higher than the roofline of any building.
  - Murals are permitted only on flat walls where a reasonable amount of open space is available to accommodate an appropriately-sized mural.
  - Previously unpainted surfaces should not be painted. Murals may be painted directly onto a wall surface only if the surface was previously painted. Consideration of the type of paint material that may be required will be location- and district-specific and considered on a case-by-case basis.
  - It is preferred that wall-mounted artwork be installed on non-historically significant structures. Non-historically significant structures are those that were constructed after the local historic district period of significance from 1918 to 1964.
- Artwork should be installed so that it does not conceal, result in damage to, or remove historical details or features.
  - Artwork should have an appropriate massing in relation to the building, site, or district, and be scaled appropriately for the intended space.
  - The colors and color palette of artwork is not regulated, except that neon colors are not allowed.
  - Artwork should consist of traditional materials including wood, stone, masonry, or metal that are durable for exterior installation and compatible with the character of the building, site, or district. It is not appropriate to introduce artwork in contemporary materials including plastic or resin.
  - Installation of artwork should include methods of stabilization or attachment that are fully reversible and do not cause damage to historic buildings, sites, or materials.

- Installation of artwork that includes additional features such as signage, mounting hardware, or lighting should be of compatible materials and should, as appropriate, be installed to be unobtrusive and screened from view as much as possible.
  - Historic signs, such as ghost ads or those painted on side walls, should be preserved in the historic district.
- Artwork should be maintained and repaired as required by the nature of the materials to preserve the appropriate appearance and safety of the artwork. Artwork should be regularly inspected for signs of vandalism and deterioration. When repairs are necessary, use industry best practices and the gentlest available treatments.
- Previously-approved and installed artwork may be replaced with another piece of similar artwork (e.g., a statue replacing a statue, or one mural design replacing another) without need for further approval, so long as general features including mass, scale, durability, method of installation, and placement of the art are not significantly altered and the replacement artwork does not include any new feature that is inconsistent with the standards set forth in this section.
- Any removal of artwork will be evaluated to determine if such removal will damage any historic features artwork is directly placed on, or historic features in close proximity.

11.4 Historical markers, interpretive signage, and public art that is either (i) located on property owned, controlled or maintained for public use by the Town within a historic district or within the boundaries of a publicly-owned landmark or (ii) funded in whole or in part by the Town must be approved by Town Council and shall be exempt from the COA process.

- However, at least 30 days prior to consideration for approval by the Town Council, the proposed historical marker, interpretive signage, and/or public art shall have been considered by the HPC in its advisory capacity with respect to (i) applicable district or landmark standards regarding size, form, massing, materials, and placement, (ii) historical accuracy and appropriateness of the content, and (iii) any other factors, including but not limited to aesthetic considerations, that the HPC deems relevant. The HPC shall forward the results of its review to Town Council. Town Council may consider approval of such historical marker, interpretive signage, or public art within 45 days of consideration by the HPC, regardless of whether or not HPC has submitted the results of its review by that date.

- By way of clarification, public art on public property owned or controlled by public authorities other than the Town is not intended to come within the exemption of this subsection 11.4.

11.5

In order to protect, preserve, and maintain existing monuments located on both public and private property, both the Town of Boone and private property owners should:

- Preserve, protect, and maintain the existing historic landforms, topography, and landscape features—including fences, walkways, gates, trees and other plantings, memorials, monuments, and markers—associated with these resources.
- Avoid the use of chemical treatments, landscape equipment, fertilizers, and earth-moving devices that are known or likely to result in damage to the historic fabric of these monuments.
- Stabilize leaning or loose monuments and prioritize the appropriate restoration of damaged or missing elements of these resources using standards developed by the Secretary of the Interior for the preservation of such resources.
- Before treating any type of masonry, correctly identify the materials and document their condition. During treatment, avoid the use of hard mortars on weathered masonry, and treat corroding metal anchors and fences to avoid further damage to masonry elements.
- When vandalism occurs, store broken or damaged elements on site or in a secure location nearby until restoration can occur. Take care to label the broken or damaged elements (without further damaging them) to ensure that they are not misplaced or forgotten.
- If cleaning of monuments is pursued, use the gentlest procedures available and consult a masonry conservator before using any chemical cleaners. Household products, including bleach, lye, ammonia, and similar items, should never be used.

(Ord. PL05671-042722, 07-27-2022)



restrain, correct or abate such violation, or to prevent any illegal act or conduct with respect to a designated building, structure, site, area or object.

(Ord. PL04727-050721, 07-01-2021)

### **8.07 Certain Changes Not Prohibited**

- 8.07.01** Nothing in this Article shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in a historic district or of a landmark which does not involve a change in design, material or appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving or demolition of any such feature which the building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition.
- 8.07.02** Nothing in this Article shall be construed to prevent a landowner from making any use of his property that is not prohibited by other law.
- 8.07.03** Nothing in this Article shall be construed to prevent a) the maintenance, or b) in the event of an emergency the immediate restoration, of any existing above-ground utility structure without approval by the Historic Preservation Commission.

(Ord. PL04727-050721, 07-01-2021)

### **8.08 Delay in Demolition of Landmarks and Buildings Within Historic District.**

- 8.08.01** An application for a Certificate of Appropriateness (COA) authorizing the relocation, demolition or destruction of a designated landmark or a building, structure or site within the district may not be denied except as provided in Subsection 8.08.03.
- A.** However, the effective date of such a Certificate may be delayed for a period of up to 365 days from the date of approval.
1. The period of delay authorized by this Section shall be reduced by the Historic Preservation Commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay.
  2. If the Historic Preservation Commission finds that a building or site within a district has no special significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition or removal.
  3. The Historic Preservation Commission may consider waiving or reducing the delay period on such conditions as it deems appropriate and reasonable.
  4. The Historic Preservation Commission may require that the applicant or owner, at their cost, document the structure thoroughly through photographic, narrative, and other appropriate documentation.
    - a. Documentation should include photographs, site and/or floor plan, and descriptions of exterior and interior features of the structure, design, special

architectural features, materials, layout, conditions of the building, important landscape features, streetscapes, other structure(s) on site, and archeological significance of the site. Documentation shall be provided by a historic preservation consultant or professional listed by the North Carolina State Historic Preservation Office, resulting in a report that complies with Historic American Buildings Survey (HABS) guidelines.

- b. Planning Staff will provide the owner, the applicant, or the legal representative a list of consultants provided by the North Carolina State Historic Preservation Office (SHPO) or preservation affiliates.
  - c. Documentation, including a complete set of photographs and all other documentary materials, shall be submitted to Planning and Inspections Staff for preservation by the Town. The adequacy of the report will be considered by the HPC during its next available quasi-judicial hearing; the report must be considered satisfactory by the HPC prior to issuance of a COA.
- B.** During any delay period, the Historic Preservation Commission shall negotiate with the applicant and/or owner to find a means of preserving the building or site.
1. When considering demolition of a historic building, the property owner is encouraged to seek all reasonable alternatives. Alternatives may include (but are not limited to):
    - a. Adapting or renovating the property to suit the owner's needs including pursuit of federal and state rehabilitation tax credits to offset the cost of such renovation.
    - b. Selling the property to someone willing to preserve the building.
    - c. Consulting a historic preservation professional or the North Carolina State Historic Preservation Office for suggestions of alternative possibilities.
  2. In the COA application, the applicant shall document all alternatives that are investigated and/or attempted.
  3. If the applicant contends that a historic structure lacks structural integrity and cannot reasonably be repaired or reconstructed, the applicant should submit competent evidence of the same, which may require the analysis and testimony of one or more experts in the relevant fields.

**8.08.02** If the Historic Preservation Commission has voted to recommend designation of a property as a landmark or designation of an area as a district, and final designation has not yet been made by the Council, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be

delayed by the Historic Preservation Commission for a period of up to 180 days or until the Council takes final action on the designation, whichever occurs first.

- 8.08.03** An application for a COA authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office as having statewide significance as defined in the criteria of the National Register of Historic Places shall be denied except where the Historic Preservation Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.
- 8.08.04** In reviewing a request to demolish a building in the district, the HPC also considers whether demolition will adversely affect other buildings in the district or the overall character of the district.
- 8.08.05** **Relocation within the Historic District:** Relocation is considered to be a “last resort” to demolition. Most historic buildings are strongly associated with the original site; therefore, relocation could threaten the historic integrity of a property. Relocation requires the HPC’s consideration.

(Ord. PL04727-050721, 07-01-2021; Ord. PL05718-051822, 07-27-2022)



## ***Standards For Relocation and Demolition***

### ***Standards for Relocation and Demolition***

Standards applicable to demolition of a structure in a historic district are set forth in UDO Section 8.08. Additional guidance for any relocation of a structure within the historic district is included below.

#### ***1. Relocation of Buildings***

As described in UDO Subsection 8.08.05, relocation considered to be a “last resort” to demolition. Most historic buildings are strongly associated with the original site; therefore, relocation could threaten the historic integrity of a property. Relocation requires the HPC’s consideration. Applicants engaged in relocation should:

- 1.1 Work with reputable and experienced contractors to accomplish the relocation. Assess the structural condition of the building prior to relocation. The North Carolina SHPO should be contacted as the office maintains a list of qualified preservation consultants and building movers with experience working on North Carolina historic properties.
- 1.2 Plan the relocation route thoroughly. Contact Town Staff, local utility providers, and building officials to secure necessary permits and discuss a work plan for the move. Coordinate efforts to ensure minimum delays en route.
- 1.3 Secure the structure to be moved to protect from weather damage and water infiltration, to minimize damage during the move, and to deter vandalism.
- 1.4 Review the compatibility of the proposed relocation site with respect to building spacing, setback, orientation, height, scale, massing, the new site’s topography, and distance from other buildings. Consider if the new site is compatible in character with the original site location. Choose a site within the historic district when possible. The new foundation of the building or structure should match the original in height, design, and materials.
- 1.5 Move a building as a single unit in order to prevent the unnecessary loss of historic building fabric or any important architectural features. Partial or complete disassembly is only acceptable when absolutely necessary. Protect original and significant site features, features of the new site, and of the route during the relocation.

- Preserve important site features within the historic district, or employ measures to keep important features on current site, such as large or historic trees.
- If disassembly must be undertaken, measured drawings and photographic documentation of the structure shall be completed with written plan detailing the disassembly as part of the COA application for HPC approval.
- Elements that are removed should be reassembled accurately. To do so, any parts of the building or structure should be marked with a non-destructive method that can be removed after reassembly.

1.6 In the circumstance that the approved relocated building is disassembled for moving and the physical condition is different than reported during the COA case, any change of physical condition should be documented. Documentation of changed physical conditions includes on-site photographs, written notes of the structure including dimensions, finish quality, texture, or color. The applicant, owner, or the one documenting the physical appearance, should report any change to Planning and Inspections staff.

1.7 In the circumstance a structure is being relocated to the historic district, the HPC is to consider if the relocated building or structure is congruous to the historic district in the following areas. This list is not intended to be comprehensive and cannot cover every circumstance that could be encountered in the project.

- Architectural style, scale, height, and massing.
- Siting orientation, building spacing, setbacks, distance from other buildings.
- Landscaping and other site features as included in guidelines for new construction. Other considerations in guidelines for new construction include the structure to be harmonious with the adjacent buildings.
- Relocation within the historic district shall not diminish the overall character of the historic district or damage existing historic buildings.

(Ord. PL05718-051822, 07-27-2022)



## Town of Boone Planning and Inspections Department

### Memorandum

To: Historic Preservation Commission

From: Jessica Mitchell

Date: 7/29/2022

Subject: Certified Local Government (CLG) Application Update – Final Review Before Submission

---

In completing the CLG application, Planning Staff has created documents to meet requirements.

The HPC reviewed addendum letters in May regarding HPC Training, HPC Public Measures for Historic Preservation, and Evidence of Seeking Preservation Professionals. These letters have **not changed** since previously shared.

To note, in discussing the draft application with SHPO the following are suggested changes:

- Include comprehensive plan policies relevant to historic preservation
- Include the latest member resumes,
- Include the latest and recently approved Rules of Procedure, and
- Update the activities list.

The HPC has previously reviewed an Activities List detailing HPC projects from 2020 to now. As the HPC completes different stages of projects, Staff has updated the list, and the latest list is included in the HPC Advisory meeting packet.

The following items from the CLG application **are included** in the HPC Advisory meeting packet for review.

1. Historic Preservation Commission Activities List
2. Addendums
  - a. Evidence of Seeking Professionals in Preservation-Related Fields
  - b. Historic Preservation Commission Member Trainings

- c. Historic Preservation Commission Public Measures and Schedule for Designation of Landmarks
- d. 2006 Comprehensive Plan Update, Town of Boone, NC – Historic Preservation Portions of the Comprehensive Plan

Similarly to when CLG materials were presented to the HPC in May, please note that not all documents are included in the HPC meeting packet due to the length of the documents, and most of the documents are reports created by the HPC or documents the HPC is aware of. If any HPC members have a particular question or concern about the documents **not included (see list below)** in the HPC Advisory meeting packet, please contact Jessica regarding the material - (jessica.mitchell@townofboone.net or 828-268-6960).

1. Historic Preservation Commission Ordinance, adopted March 15, 2007
2. Historic Preservation Commission Rules of Procedure, adopted May 25, 2022
3. Historic Preservation Commission Design Guidelines
  - a. Downtown Boone Design Guidelines and Handbook, Unified Development Ordinance, Appendix D, adopted October 21, 2021, revised July 27, 2022
  - b. General Design Principals and guidelines for Historic Landmarks and Districts Designated by the Town of Boone, North Carolina, adopted January 12, 2016; Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines on Sustainability for Rehabilitation Historic Buildings, adopted January 12, 2016
  - c. The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, adopted August 14, 2018
  - d. Proposed Guidelines for Cemetery Interpretation, Local Landmark Designation, and/or Acquisition by the Town of Boone, adopted December 8, 2021
4. Historic Preservation Commission Locally Designated Historic District, Downtown Boone Local Historic District
  - a. Downtown Boone Local Historic District Designation Report, April 13, 2021
  - b. Accompanying Historic District Project Maps
  - c. Town Council Approval(s)



- 
5. Historic Preservation Commission Locally Designated Local Historic Landmarks, Designation Reports, Accompanying Property Maps, and Town Council Approval(s)

- a. Downtown Boone Post Office
- b. Frank A. Linney House and Former Linney Law Office
- c. Blue Ridge Tourist Court and Motel

Historic Preservation Commission Local Historic Markers

- d. 1940 Boone Flood
- e. The Junaluska Community
- f. Councill's Store
- g. Hayes-Bryan-Greene Cemetery

6. Historic Preservation Commission Comprehensive Inventory (Architectural Survey)
7. Historic Preservation Commission Member Resumes

**Staff Note on Items Not Included in HPC Advisory Meeting Packet:**

- Historic Preservation Commission Design Guidelines, specifically Appendix D, Staff will include in the final submission the latest updated UDO. Currently, the updated version was approved on 7/27/2022 (This latest UDO is available on the Town's website: <https://townofboone.net/240/Unified-Development-Ordinance>).
- Member Resumes will also represent current members at the time of final submission. If there is any change in the board roster, Staff will submit member resumes representative of the current roster.
- Comprehensive Inventory, specifically the Architectural Survey, will have a note indicating that Staff and the HPC are continuing to work on the necessary reporting for the SHPO office.
- Rules of Procedure adopted by Town Council on May 25, 2022, will be included in the final submission, as that is the most recent approved version.
- Designation Dates for Local Historic Landmarks and Historic Markers are included in the final submission.

# DESCRIPTION OF THE TOWN OF BOONE'S HISTORIC PRESERVATION COMMISSION 2020-2022 Activities

---

## Historic Preservation Commission Priority List

(Based on priorities from August 2021 meeting with current priorities noted by Staff.)

1. Historical Marker for Council's Store
  - a. Historic Marker Report was created by HPC members regarding the history and significance. Following the report, the HPC made a motion to request approval of the marker report by Boone Town Council for February 2022. Town Council approved the marker, and Planning Staff is working with Sewah Studios, a monument marker company, on the marker (awaiting order as of July 2022).
2. Landmark Designation Report for the Watauga County Jail
  - a. HPC members are working on this item during 2022, as part of Boone's sesquicentennial (150<sup>th</sup>) celebrations. HPC members were presented with a draft report in May 2022 with a discussion for the HPC's June 7, 2022, Advisory session. Planning Staff presented the report to Boone Town Council on July 13, 2022. Upon approval, Planning Staff began the designation process with the NC SHPO.
3. Report for Boone Cemetery Interpretative Panels
  - a. Note: *See Town of Boone Cemeteries item in Current and Ongoing Projects*
4. Designation of the Hayes, Bryan, Greene Cemetery
  - a. HPC members conducted a cemetery photographic survey and research with assistance from Planning Staff that initiated a report on the historically significant individuals in the cemetery. Following the report, the HPC made a motion to request the designation of the cemetery, considered by Boone Town Council in December 2021. The HPC revised the marker report in March 2022, and Town Council approved the marker in April 2022. Planning Staff is working with Sewah Studios, a monument marker company, on the marker (awaiting order as of July 2022).
5. Landmark Designation Report for the R.L. Clay (Rivers) House
  - a. HPC members are working on this item during 2022, as part of Boone's sesquicentennial (150<sup>th</sup>) celebrations.
6. Landmark Designation Report for the Jones House
  - a. HPC members are working on this item during 2022, as part of Boone's sesquicentennial (150<sup>th</sup>) celebrations.
7. Complete the Boone Cemetery Survey and share data with Mr. Chris Miller, GIS Specialist
  - a. Planning Staff and the HPC launched a public survey request for anyone to submit information about local cemeteries; however, the survey concluded in January 2022 due to low public participation. The form will remain available on the [HPC website](#). Boone Town Council was presented with the results and updated mapping in March 2022.

Planning Staff coordinated with Mr. Chris Miller, GIS Specialist, on updating the cemetery map, which is also available on the website.

8. Complete the First Phase of the Boone Streets Project and Place the Information Online
  - a. HPC members have begun a research project on the history of the street names in the downtown area of Boone. Members will report on the significance, how the street received the name, and the change of the street path over time. Reports were started in 2021 and will continue through 2022.
9. Pursue Certified Local Government Status through the State of North Carolina (Planning Staff)
10. Quasi-Judicial procedures for Certificate of Appropriateness in the Local Historic District
  - a. The Town of Boone HPC began hearing Certificate of Appropriateness (COA) cases in February of 2022, with additional cases in March, April, and May 2022 and scheduled cases in June 2022.

### Current and Ongoing Projects

1. Downtown Projects Update
  - a. Revised Downtown Boone Local Historic District Designation Report (Final Report 4/13/2021)
    - i. Note: *Please review the Designation Report included with the CLG Application*
  - b. Downtown Boone Design Guidelines and Handbook (Adopted 10/21/2021, Revised 7/27/2022)
    - i. Note: *Please review the Design Standards included with the CLG Application*
  - c. All above are addressed and influenced by the Downtown Redistricting (Town of Boone, Planning and Inspections)
2. District Designation Report
  - a. As a part of the Downtown Projects, the HPC approved the District Designation Report, a summary of the Historic District. In addition, the Architectural Survey is a detailed report of each contributing building in the Historic District.
    - i. Note: *Please review the District Designation Report and Architectural Survey included with the CLG Application*
3. Town Streets
  - a. Town Street Reports completed for Appalachian Street, Junaluska Road, and Howard Street
    - i. Note: All these streets are within the Downtown Boone Local Historic District and have been completed.
  - b. Additional Street Reports for Linney Street, Grand Boulevard, North Street, Church Street, College Avenue, Depot Street, River Street, Queen Street, King Street, and Water Street

- i. Note: As mentioned as a Priority Item, these reports mark the history and significance of these thoroughfares through the Downtown area and how they have changed over time.
- 4. Town of Boone Cemeteries
  - a. Boone Cemetery Footstone Information for Markers
    - i. Note: Footstones in the Boone Cemetery was a proposed project among HPC members to delineate the former line dividing the cemetery. Discussion among HPC members concluded that the best solution would be to include an interpretative panel in the cemetery at the location of the line explaining its existence and historical significance.
  - b. Mapping of Other Cemeteries
    - i. Note: Mapping will be an ongoing project based on the completed and possible future results from the public survey. In February 2022, results were compiled and presented to the HPC. Boone Town Council was presented with the results and updated mapping in March 2022.
  - c. Cemetery Designation & Interpretation Guidelines
    - i. Note: HPC members drafted guidelines based on guidance from the North Carolina State Historic Preservation Office and the National Park Service regarding the designation, acquisition, and interpretation of cemeteries. Guidelines have been approved by Boone Town Council.
    - ii. Note: *Please review the Guidelines included with the CLG Application*
  - d. Hayes-Bryan-Greene Cemetery
    - i. Note: The cemetery has been approved for a local historic marker, following the HPC members creating a marker report. The HPC requested action by Boone Town Council for consideration of the marker report and location of the marker. Town Council approved the marker in April 2022.
  - e. Boone Historic Cemetery Interpretative Educational Panels
    - i. Note: The HPC discussed education panels to include panels that (1) explain the significance of the Cemetery with an interactive option, such as a QR code, for visitors, (2) Civil War Trails marker, in partnership with the Civil War marker program, to have an interpretive panel for the Union Soldiers graves, and (3) a panel describing the once division of the cemetery.
  - f. Cemetery Scripts for Boone 150 Events
    - i. The HPC and interested community members will begin researching historic individuals in local cemeteries and drafting scripts for docents to portray buried individuals as a cemetery walking tour event(s) in Fall 2022.
- 5. Boone 150 Committee
  - a. In January 2022, the Town of Boone celebrated the Sesquicentennial anniversary of its incorporation of Boone. The HPC as a commission has been interested in educational events for the anniversary that are ongoing throughout 2022.
- 6. Digital Watauga Project



- a. An archival system for Watauga County, the HPC uses the information and photographs available for research projects and historical information. Planning Staff will begin working with Digital Watauga to acquire images of the historic district, creating a database of images to use for continued work with Certificate of Appropriateness cases.

#### Future Local Historic Districts

1. Grand Boulevard
2. Cherry Street

#### Additional Projects

1. Blue Ridge Tourist Court and Motel/Local Landmark Designation Report (Final Report 5/3/2021)
  - a. Note: *Please review the Designation Report included with the CLG Application*
2. Junaluska Local Historic Marker (and Dedication) (Final Report 3/10/2020, Dedication of Marker 6/19/2021)
  - a. Note: *Please review the Designation Report included with the CLG Application*

# Town of Boone



May 18, 2022

North Carolina State Historic Preservation Office  
109 E. Jones St.  
Raleigh NC 27601

## **RE: Certified Local Government Application for Town of Boone, NC Historic Preservation Commission**

Dear Certified Local Government Review Team:

Please accept this letter as an addendum to our application detailing the Town of Boone, North Carolina Historic Preservation Commission's "seeking professionals in preservation-related fields as members of the Commission."

The Town of Boone Historic Preservation Commission (HPC) has specific qualifications and requirements for membership. These qualifications are stated in the Town of Boone Unified Development Ordinance in Article 2, Section 4, titled Historic Preservation Commission. Please see attached section for reference.

As the HPC has the mission to maintain inventories of historical, architectural, and culturally-significant properties, it also has the responsibility of informing the Town of Boone Town Council of methods for Boone to retain the character and historic landmarks and districts in the Town's planning jurisdiction. Therefore, consistent with NC General Statutes, membership qualifications include the following:

- Members must be Town of Boone residents.
- To the extent qualified persons can be found, the majority of the Commission shall have demonstrated special interest, experience, or education in the fields of history, architecture, archaeology, or related fields. To the extent such persons may be found with the stated qualifications, the Town Council shall seek to appoint: two (2) persons with significant experience or knowledge in historic preservation, one (1) person with significant knowledge in building construction, and one (1) person with significant experience or knowledge in architecture.

The membership qualifications for the Town of Boone HPC do seek professionals in preservation-related fields for commission members. Potential members are to list their skills, education, training, experience, and area(s) of expertise in their application for membership. The HPC currently hosts members with a varied and rich background of experience and knowledge in the required fields; additionally, many members are well-known historians in the community, adding value to the Commission and the Town.

Thank you for your consideration. Please contact me if you have any questions by email at [jessica.mitchell@townofboone.net](mailto:jessica.mitchell@townofboone.net) or by phone at (828) 268-6960.

Respectfully,

/s/ Jessica Mitchell

Jessica Mitchell, Long-Range/Special Projects Planner

## ARTICLE 2 ADMINISTRATIVE MECHANISMS

|      |                                       |      |
|------|---------------------------------------|------|
| 2.01 | Board of Adjustment .....             | 2-1  |
| 2.02 | Planning Commission .....             | 2-3  |
| 2.03 | Community Appearance Commission ..... | 2-5  |
| 2.04 | Historic Preservation Commission..... | 2-7  |
| 2.05 | Generally Applicable Provisions ..... | 2-8  |
| 2.06 | Land Use Administrator.....           | 2-13 |
| 2.07 | Public Works Director.....            | 2-16 |
| 2.08 | Town Council .....                    | 2-16 |

### 2.01 Board of Adjustment

**2.01.01** The Board is a quasi-judicial body that acts on specified appeals, variances, major subdivision preliminary plat approval and special-use permit requests. Except for major subdivision preliminary plat approval, a decision by the Board constitutes the final decision of the Town.

#### 2.01.02 Appointment and Terms of Board of Adjustment

- A. Membership.** There shall be a Board of Adjustment consisting of five (5) regular members and three (3) alternate members. Alternates shall serve on the Board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a regular member. When serving in place of a regular member, an alternate member shall have all the powers and duties of a regular member.
- B. Appointments, Avoidance of Conflicts of Interest.** Members of the Board shall be appointed by the Town Council following the procedures set forth in Chapter 35 of the Municipal Code. In making appointments, the Town Council shall consider the employment of current Board members and their spouses, and shall strive to create such employment diversity upon the Board so as to minimize the likelihood that a conflict of interest with regard to a particular case will prevent the Board from assembling a quorum. Therefore, in order to be appointed to the Board, an applicant must provide the Town with information concerning their employment and that of their spouse, if any.
- C. Residency Requirement.** Members of the Board of Adjustment must be residents of the Town of Boone, but a member who moves outside the town limits may continue to serve on a case in which they participated prior to moving outside the town limits until that case is completed.

#### 2.01.03 Meetings of the Board of Adjustment

- A. Procedure:** The Board shall conduct its meetings in accordance with its duly adopted Rules of Procedure so long as they are not inconsistent with the provisions of this Ordinance or State law. The Rules of Procedure may address any of the following:
1. Scheduling and order of cases before the Board; and

2. Representation; and
3. Intervention of a person other than the applicant or appellant who has a special and substantial interest in the outcome of the case to fully participate as a party in the hearing; and
4. Pre-hearing procedures; and
5. Hearing procedures; and
6. Admissibility of evidence; and
7. Decision-making procedures; and
8. Length of meetings; and
9. Special meetings; and
10. Meeting decorum pursuant to Subsection 6.01.07(B); and
11. Such other matters as may be needed for the effective and proper functioning of the Board.

**2.01.04 Board of Adjustment Chair and Vice-Chair**

- A.** In or about July of each year, the Board will accept and review applications from the current membership for Chair and Vice-Chair positions and forward a recommendation on these positions to Town Council. Upon receipt of the Board's recommendations, Council shall review the submitted applications and the Board recommendations before designating the Chair and the Vice-Chair. The members so designated shall serve in these capacities for terms of one (1) year, with eligibility for unlimited re-appointment. Vacancies in these offices shall be filled for the unexpired terms by the Town Council.
  1. The Board shall designate the Chair and Vice-Chair of any subcommittee.
- B.** If neither the Chair nor the Vice-Chair are present, the presiding officer shall be elected by majority vote.
- C.** The Chair and Vice-Chair may take part in all deliberations and vote on all issues.

**2.01.05 Powers and Duties of the Board of Adjustment**

- A.** The Board is a quasi-judicial body that shall hear and decide:
  1. Appeals from any order, decision, requirement, interpretation, or determination made by the Administrator, as provided in Article 6 Board of Adjustment Hearings.
  2. Applications for special-use permits, as provided in Article 6 Board of Adjustment Hearings.
  3. Applications for variances, as provided in Article 6 Board of Adjustment Hearings.



4. Applications for major subdivision preliminary plat approval, as provided in Article 6 Board of Adjustment Hearings.
5. Appeals of the grant or denial of an application for a Certificate of Appropriateness by the Historic Preservation Commission.
6. Any other matter the Board is required to act upon by any other Town Ordinance or State law.

(Ord. PL00147-010417, 02-16-2017; Ord. PL01809-082218, 10-16-2018; Ord. PL04195-090820, 12-17-2020; Ord. PL04727-050721, 07-01-2021)

## **2.02 Planning Commission**

**2.02.01** The Planning Commission is an advisory board that makes recommendations to Council on future growth and development issues that affect the Town and advises Town Council concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604. In addition to or as part of its regular meeting schedule, the Planning Commission shall attend public hearings on proposed zoning text and map amendments scheduled by the Town Council.

**2.02.02 Membership.** The Planning Commission shall consist of seven (7) members.

### **2.02.03 Planning Commission Chair and Vice-Chair**

**A.** In or about July of each year, the Commission shall accept and review applications from the current membership for Chair and Vice-Chair positions and forward a recommendation on these positions to Council. Upon receipt of the Commission's recommendations, Council shall review the submitted applications and the Planning Commission recommendations before designating the Chair and the Vice-Chair. The members so designated shall serve in these capacities for terms of one (1) year, with eligibility for unlimited re-appointment. Vacancies in these offices shall be filled for the unexpired terms only. The Chair and Vice-Chair may take part in all deliberations and vote on all issues.

1. The Commission shall designate the Chair and Vice-Chair of any subcommittee.

**B.** If neither the Chair nor the Vice-Chair are present, the presiding officer shall be elected by majority vote.

**C.** The Chair and Vice-Chair may take part in all deliberations and vote on all issues.

### **2.02.04 Powers and Duties of the Planning Commission**

**A.** The Planning Commission may:

1. Prepare, review, maintain, monitor, and periodically update and recommend to the governing board a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.

2. Facilitate and coordinate citizen engagement and participation in the planning process.
3. Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
4. Advise the governing board concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604. The Planning Commission shall not, however, have the power to “initiate” changes to this Ordinance, as the term “initiate” is used in, Section 9.02; and
5. Exercise any functions in the administration and enforcement of various means for carrying out plans that the governing board may direct.
6. Review and either approve or deny proposed minor subdivision requests when a portion of the land to be subdivided lies within a Designated Water Supply Watershed District, based upon application of Articles 5 and 29 of this Ordinance; and
7. Perform any other related duties that the Council may direct.

#### **2.02.05 Advisory Committees**

- A.** From time to time the Council may appoint one or more individuals to help the Planning Commission carry out its planning responsibilities with respect to a particular subject area. By way of illustration, without limitation, the Council may appoint advisory committees to consider the thoroughfare plan, bikeway plans, community appearance plans, housing plans, economic development plans, etc. Such advisory committees shall be created and operate, unless otherwise designated by the Council, according to the procedures established under Municipal Code §§ 30.51, and 35.01, et seq.
- B.** Members of such advisory committees shall sit as nonvoting members of the Planning Commission when such issues are being considered, and they shall be invited to lend their talents, energies, and expertise to the Planning Commission. However, all formal recommendations of the Planning Commission to the Council shall be made by the Planning Commission itself.
- C.** Nothing in this Section shall prevent the Council from establishing independent advisory groups, committees, or commissions to make recommendations on any issue directly to the Council.

(Ord. PL00147-010417, 02-16-2017; Ord. PL001809-082218, 10-16-2018; Ord. PL04195-090820, 12-17-2020; Ord. PL04727-050721, 07-01-2021)

---

**2.03 Community Appearance Commission**

**2.03.01** The Community Appearance Commission is an advisory board that makes recommendations to Council on visual appearance, community beautification, and landscape development that affect the Town.

**2.03.02 Membership.** There shall be a Community Appearance Commission consisting of seven (7) members. To the extent qualified persons can be found, the majority of members shall have special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely related field.

**2.03.03 Community Appearance Commission Chair and Vice-Chair**

**A.** Unless the Town Council designates the Chair and Vice-Chair of the Community Appearance Commission, the Commission shall choose its own Chair and Vice-Chair. The people so designated shall serve in these capacities for terms of one (1) year, with eligibility for unlimited re-appointment. Vacancies in these offices shall be filled for the unexpired terms only.

1. The Community Appearance Commission shall designate the Chair and Vice-Chair of any subcommittees.

**B.** The Chair and Vice-Chair may take part in all deliberations and vote on all issues.

**C.** If neither the Chair nor the Vice-Chair are present, the presiding officer shall be elected by majority vote.

**2.03.04 Powers and Duties of the Community Appearance Commission**

**A.** The Community Appearance Commission may:

1. Initiate, promote, and assist in the implementation of programs of general community beautification in the Town.

2. Coordinate the activities of individuals, agencies, and organizations, public and private, whose plans, activities, and programs bear upon the appearance of the Town.

3. Provide leadership and guidance in matters of area or community design and appearance to individuals, to public and private organizations.

4. Make studies of the visual characteristics and problems of the Town, including surveys and inventories of an appropriate nature, and to recommend standards and policies of design for the entire area, any portion or neighborhood thereof, or any project to be undertaken.

5. Prepare both general and specific plans for the improved appearance of the Town. These plans may include the entire area or any part thereof and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic enhancement of the Town or any part thereof within its area of

planning and development regulation jurisdiction, including public ways and areas, open spaces, and public and private buildings and projects.

6. Participate, in any way deemed appropriate by the Town Council and specified in the ordinance establishing the commission, in the implementation of its plans. To this end, the Town may include in the ordinance the following powers:
  - a. To request from the proper officials of any public agency or body, including agencies of the State and its political subdivisions, its plans for public buildings, facilities, or projects to be located within the Town's planning and development regulation jurisdiction.
  - b. To review these plans and to make recommendations regarding their aesthetic suitability to the appropriate agency or to the planning or governing board. All plans shall be reviewed by the commission in a prompt and expeditious manner, and all recommendations of the commission with regard to any public project shall be made in writing. Copies of the recommendations shall be transmitted promptly to the planning or governing board and to the appropriate agency.
  - c. To formulate and recommend to the appropriate planning or governing board the adoption or amendment of ordinances, including zoning regulations, subdivision regulations, and other local development regulations, that will, in the opinion of the commission, serve to enhance the appearance of the city or county and surrounding areas.
  - d. To direct the attention of Town officials to needed enforcement of any ordinance that may in any way affect the appearance of the city or county.
  - e. To seek voluntary adherence to the standards and policies of its plans.
  - f. To enter, in the performance of its official duties and at reasonable times, upon private lands and make examinations or surveys.
  - g. To promote public interest in and an understanding of its recommendations, studies, and plans, and, to that end, prepare, publish, and distribute to the public such studies and reports that will, in the opinion of the commission, advance the cause of improved appearance.
  - h. To conduct public meetings and hearings, giving reasonable notice to the public thereof. Perform any other duty assigned by the Council that is authorized pursuant to N.C. Gen. Stat. § 160D-960.

**2.03.05** The commission shall, no later than April 15 of each year, submit to the governing board a written report of its activities.

(Ord. 20160224, 05-19-2016; Ord. 20160438, 03-16-2017; Ord. PL01809-082218, 10-16-2018; Ord. PL04195-090820, 12-17-2020; Ord. PL04727-050721, 07-01-2021)



---

**2.04 Historic Preservation Commission**

**2.04.01** The Historic Preservation Commission is responsible for the inventory of historical, architectural and culturally significant properties within the Town of Boone corporate limits. The Historic Preservation Commission also makes recommendations to Council to promote, enhance and preserve the character and historic landmark or district in the Town's planning area. The Historic Preservation Commission operates pursuant to Subsection 2.04.05.

**2.04.02 Membership.** There shall be a Historic Preservation Commission consisting of five (5) members. To the extent qualified persons can be found, the majority of the Commission shall have demonstrated special interest, experience, or education in history, architecture, archaeology, or related fields, and to the extent persons may be found with the stated qualifications, the Town Council shall seek to appoint two persons with significant experience or knowledge in historic preservation, one person with significant experience or knowledge in building construction, and one person with significant experience or knowledge in architecture.

**2.04.03 Rules of Procedure.** The Historic Preservation Commission shall conduct its meetings in accordance with its duly adopted rules of procedures so long as they are not inconsistent with the provisions of this Ordinance or State law, and the Commission shall comply with the requirements of Article 8. The Commission shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas. When exercising authority over any individual property in accordance with Sections 8.03 and 8.06 of this Ordinance, it shall conduct itself in a quasi-judicial manner.

**2.04.04 Historic Preservation Commission Chair and Vice-Chair**

**A.** In or about July of each year, the Commission will accept and review applications from the current membership for Chair and Vice-Chair positions in order to forward a recommendation on these positions to Council. Upon receipt of the Commission's recommendations, Council shall review the submitted applications and the Historic Preservation Commission recommendations before designating the Chair and the Vice-Chair. The people so designated shall serve in these capacities for terms on one (1) year, with eligibility for unlimited re-appointment. Vacancies in these offices shall be filled for the unexpired terms only.

1. The Historic Preservation Commission shall designate the Chair and Vice-Chair of any subcommittees.

**B.** The people so designated shall serve in these capacities for terms of one (1) year, with eligibility for unlimited re-appointment.

**C.** The Chair and Vice-chair may take part in all deliberations and vote on all issues.

**2.04.05 Powers and Duties of Historic Preservation Commission**

**A.** The Historic Preservation Commission shall, in accordance with the procedures of Article 8 of this Ordinance, have the following powers:

1. Undertake an inventory of properties of historical, prehistorical, architectural, and/or cultural significance; and
2. Recommend to the Town Council areas to be designated by ordinance as "Historic Districts;" modification of Historic District boundaries; and individual structures, buildings, sites, areas, or objects to be designated by Ordinance as "Landmarks"; and
3. Recommend to the Town Council criteria and procedures for the protection and preservation of Historic Districts and Landmarks; and
4. Recommend to the Town Council that designation of any area as an Historic District or part thereof, or designation of any building, structure, site, area, or object as a Landmark, be revoked or removed for cause; and
5. Conduct educational programs with respect to historic properties and districts within its jurisdiction, including but not limited to programs of recognition for significant historic properties, and programs to educate landowner s of possible tax benefits associated with historic designation; and
6. Cooperate with the State, federal, and local governments in pursuance of the preservation and protection of areas and properties deemed to be of special significance in terms of their history, prehistory, architecture and /or culture, and contract, when authorized by the Town Council, with the State of North Carolina or the United States of America, or any agency of either for that purpose; and
7. Enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof, provided that no member, employee or agent of the Commission may enter any private building or structure without the express consent of the owner or occupant thereof; and
8. Prepare and recommend the official adoption of a preservation element as part of the municipality's comprehensive plan; and
9. Review and act upon proposals for alterations, demolitions, or new construction within historic districts, or for the alteration or demolition of designated landmarks, and identify and propose preservation alternatives to owners; and
10. Perform any other related duties that the Council may direct.

(Ord. PL01809-082218, 10-16-2018; PL04195-090820, 12-17-2020; Ord. PL04727-050721, 07-01-2021; Ord. PL05270-110121, 12-08-2021)

## **2.05 Generally Applicable Provisions**

**2.05.01** The following provisions are applicable to every board and committee established under or this Article and to every subcommittee created by any such board or committee (collectively referenced in this section as "board"), except as specifically provided otherwise in the preceding sections, Article 6, or state law.

- A. Appointment of Members.** Members of each board shall be appointed by the Town Council pursuant to the procedures set forth at Chapter 35 of the Municipal Code.
- B. Designated student member.** Except for the Board of Adjustment, one membership position on each board, shall be designated for an Appalachian State University student; *provided*, that more than one Appalachian State University student position may be appointed in the discretion of Town Council. The designated Appalachian State University student member shall serve a term of one (1) year.
- C. Term.** Regular members and any alternate members shall be appointed for three (3) year staggered terms, but may continue to serve until their successors have been appointed. Vacancies shall be filled for the unexpired terms only. Members may be appointed to no more than three successive terms. A former member may be reappointed following a one-year period of non-membership. Vacancies which occur for reasons other than the expiration of a term shall be filled as they occur only for the unexpired remainder of the term.
- D. Oath of Office.** All members appointed to boards under this Article shall, before entering their duties, qualify by taking an oath of office as required by G.S. 160A-61.
- E. Absences.**
1. Board members shall be removed for unexcused failure to attend three (3) consecutive meetings or for unexcused failure to attend fifty percent (50%) of the regular meetings in any twelve (12) month period. For example, if a member misses six (6) of twelve (12) meetings during a twelve-month period and two (2) of the absences are due to the member's illness, the member will be recorded as having missed four (4) of ten (10) meetings. Alternate members shall be removed for unexcused failure to attend or participate in three (3) consecutive meetings for which the member's attendance is requested.
  2. The Administrator shall notify in writing any member for whom one more absence will trigger removal.
  3. Absences due to sickness, emergencies, or other exigencies shall be recognized as excused absences and such absences and the meetings missed for such excused absences shall not be counted in the calculations toward automatic removal from the Board. For example, if a member misses six of twelve meetings during a twelve-month period and two of the absences are due to the member's illness, the member will be recorded as having missed four of ten meetings.
  4. In the event of a long illness or other such cause for prolonged absence, as determined by the Administrator, the member shall be replaced.
  5. The Administrator shall notify the member and Town Council when a member has exceeded the allowable number of unexcused absences.
  6. Council may act to excuse absences in advance or to reappoint a member after being informed by the Administrator of the member's removal.

- F. Residency requirements.** Every member of each committee and board established under this Article must be a resident of the Town of Boone. Except as provided at 2.01.02(C) above with respect to Board of Adjustment members, a member who moves outside the Town limits shall be deemed to have resigned from the board effective immediately.
- G. Resignation.** A member of a board may resign by notifying the Mayor, Town Manager, or Administrator. A resignation shall be effective at the time a replacement member has been appointed unless the member declares a date certain in the resignation.
- H. Removal.** The Administrator or a member of the Town Council may propose removal of a member for good cause related to the performance of board duties. Before removal, the member shall be given an opportunity to appear before the Town Council to address the issues involved.
- I. Meetings; meeting schedule.** A board shall conduct meetings in accordance with the meeting schedule adopted by Council, so long as there are items for its consideration, and it may schedule additional meetings (“continuation meetings” and “special meetings”), as necessary, so long as all notice requirements are met. Regardless of whether or not a quorum of the board is present, any duly advertised regular or special meeting may be continued to a later date (“continuation meeting”) without additional notice and advertising if the date, time, and location of the continuation meeting is announced by the Chair.
- J. Open Meetings.** Every board shall operate in compliance with the North Carolina Open Meetings law, codified as N.C. Gen. Stat. §§ 143-318.9 et seq. (hereafter, “the law”). At a minimum, all meetings of any board shall require all of the following:
1. Other than for an emergency meeting, notice by posting of the date and time of the meeting at least 48 hours in advance on the bulletin Board for that purpose in Town Hall, unless a longer notice is required by this Ordinance or State law. If an agenda has been distributed to members of the board, it shall also be posted.
    - a. An “official meeting” occurs whenever a regularly scheduled meeting of a board occurs, whether or not a quorum is present, or whenever a majority of the board meets, whether in person or by electronic means such as conference call or e-mail, to conduct a hearing, deliberate, take action, or otherwise transact public business.
    - b. “Deliberate” includes examining, weighing or reflecting upon the reasons for or against a possible decision and also includes the collective acquisition and exchange of facts preliminary to a decision.
    - c. An “emergency meeting” is one that concerns generally unexpected circumstances requiring the immediate consideration of the Board. In the



event of an emergency meeting, a local news medium must be notified prior to the meeting of the date, time and subject matter of the meeting.

2. A meeting that is open to the public, except as to a closed session conducted in accordance with the law for a reason authorized by the law.
3. Minutes of the meeting, a copy of which shall be provided to the Town Clerk, once they are reviewed and approved by the board.

**K. Speakers.** When a board meeting includes a provision for public comment, any person wishing to address the board shall state their name and whether or not they are a resident of the Town. For clarification, this subsection does not apply to the Board of Adjustment, which is governed by its own Rules of Procedure and Article 6 herein; nor does this subsection apply to the Historic Preservation Commission when it is acting in its quasi-judicial capacity and is governed by its Rules of Procedures and Article 6 herein.

1. Speakers shall be recognized in the order in which they have signed up.
2. Unless a different time limit is adopted by the board, no member of the public shall be allowed to speak for more than five minutes.
3. Should more than one person wish to make substantially the same comments regarding the same subject, or where a group of persons supports or opposes the same positions, the presiding officer may request that all such persons designate a spokesperson for their group to address the board, and the presiding officer may allot a larger amount of time for the presentation of the group position by the spokesperson.
4. All persons addressing a board shall be treated respectfully by other persons in attendance at the meeting, and all speakers shall conduct themselves with proper decorum. Should any person present during a public comment period substantially interfere with the ability of a person offering public comment or engage in behavior which violates norms of accepted decorum, or should a person offering public comment engage in behavior which violates norms of accepted decorum, after warning such person(s) and, except in a situation where there is a risk of harm to any person present, providing such person(s) the opportunity to alter the behavior to bring it into conformity with norms of accepted decorum, the presiding officer may direct that such person(s) be removed from the meeting.

**L. Meetings of Advisory Boards**

1. **Meeting procedures.** When a board is meeting in an advisory capacity (rather than in a quasi-judicial role), it need not conduct its meetings in accordance with the quasi-judicial procedures set forth in Article 6. However, every board shall conduct its meetings so as to obtain necessary information and to promote the free and full exchange of ideas.

- a. The agenda shall include only those matters within the responsibilities and powers of the board as provided herein.
- b. Absent an emergency matter, which can be placed upon the agenda by a unanimous vote of those present, only matters on the published agenda may be acted upon by the board.
- c. Issues considered under agenda items entitled, "other matters" or similar language shall only be for information, and other items or issues for information may be added to the agenda by majority vote of those present.
- d. Meetings of a board shall proceed in the following order: adoption of an agenda, approval of the minutes, public comment (when public comment is to be accepted), unfinished business, new business, and informal discussion. By majority vote of the members in attendance, the order of business may be altered.
- e. The business of every board shall be conducted in such manner as to afford all members an opportunity to speak. However, no member shall generally address the body until first recognized by the Chair, and members of the board shall be respectful to each other and shall avoid interrupting each other.

#### **M. Quorum and Voting**

1. A quorum is necessary for a board to take official action. Except as otherwise provided by this Ordinance or other law, a quorum shall consist of a majority of the members of the board. Vacant positions are not counted as members for purposes of calculating quorum. A member who is present shall be counted for purposes of quorum even if recused from voting.
2. Unless otherwise required by law or this Ordinance, all actions or recommendations of a board are only effective or adopted upon majority vote of the members present, following a motion and second.
3. In the case of a divided vote on any question on which the board is required to act, the record shall include the vote of each member. When such action is to be reported to the Council, the board shall not only report the action or recommendation adopted, but the vote by which it was adopted.
4. Proxy voting is not allowed, but a member who cannot be physically present may participate in the meeting by electronic or telephonic means so long as the member can hear all deliberations and proceedings of the board, and the members of the board can hear the member.
5. A roll call vote shall be taken upon the request of any member.

#### **N. Limitations on Board and Board Member Powers**

1. No individual member of a board shall purport to speak or act on behalf of the board without action by the board explicitly authorizing the member to speak or act on its behalf; and
2. No individual member of a board, nor the board itself, shall purport to speak or act on behalf of the Town without action by the Council explicitly authorizing the member or empowering or authorizing the board to speak or act on its behalf; and
3. Without an express grant of authority or explicit authorization by the Council, no individual member of a board, nor the board itself, shall direct Staff to take action requiring the expenditure of Town funds; and
4. A board shall not create any group external to its membership without the explicit prior approval and/or appointment of the Town Council; and
5. A board may not create a subcommittee or working group within its membership without explicit approval of the Town Council.

**O. Conflicts of Interest**

1. Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
2. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.
3. A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

(Ord. 20160224, 05-19-2016; Ord. PL04195-090820, 12-17-2020; Ord. PL04727-050721, 07-01-2021)

**2.06 Land Use Administrator**

**2.06.01 Land Use Administrator**

- A. Except as otherwise specifically provided, primary responsibility for administering and enforcing this Ordinance may be assigned by the Town Manager to one or more individuals. The person or persons to whom these functions are assigned shall be

referred to in this Ordinance as the “Land-use Administrator” or “Administrator”. The term “Planning Director”, “Staff” or “Planning and Inspections Staff” is sometimes used interchangeably with the term “Administrator”.

- B.** When enforcing this Ordinance, the Council recognizes that there may be instances where the Administrator should be given the authority to approve limited deviations to some provisions of the Ordinance. The Administrator may approve a deviation only after the applicant has submitted documentation to demonstrate that one of the following conditions exists:
1. A surveying error has occurred that has created a situation in which the applicant is unable to comply with the requirements of the Ordinance.
  2. The configuration of the lot and location of existing structures is such that the applicant is unable to comply with the requirements of the Ordinance and that the deviation being requested will not have a detrimental effect upon any adjacent landowner.
  3. Due to unique circumstances related to the development being proposed, the applicant is able to demonstrate that strict compliance with the Ordinance will not be in the best interests of the Town and that the deviation being requested will not have a detrimental effect upon any adjacent landowner.
  4. The applicant has agreed to take measures that would ameliorate the effects of the deviation and the owners of all property located within 150’ have agreed in writing to the deviation being requested.
- C.** A request for deviation shall be made before the development approval is issued. Deviations may only be approved to the extent authorized below to the following provisions of the Ordinance:
1. Deviations from the requirements of Section 16.01 Schedule of Land Use Intensity Regulations provided the deviation shall not exceed ten percent (10%) of any requirements.
  2. Deviations from the setback requirements of Section 16.07. Accessory Structure Setback Requirements provided the deviation shall not exceed ten percent (10%) of any requirements.
- D.** The authority given to the Administrator to grant such deviations shall be construed to be permissive and not mandatory. The decision of the Administrator, as to whether or not to grant a deviation, shall constitute the final decision of the Town and is not appealable. In the event a deviation is not approved, the applicant shall have the right to request a variance from the Board.

#### **2.06.02 Conflicts of Interest**

- A.** No staff member shall make a final decision on an administrative decision if the outcome of that decision would have a direct, substantial, and readily identifiable



financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

- B. No staff member who is financially interested or employed by a business financially interested in a development subject to regulation under this Ordinance shall be involved in any manner in the review or decision-making with respect to such development.
- C. No staff member or other individual or an employee of a company contracting with the Town to provide staff support shall engage in any work that is inconsistent with their duties or with the interest of the Town, as determined by the Town.

#### 2.06.03 Interpretations

- A. **Zoning Map Interpretations:** The Planning Director is authorized to interpret the zoning map and disputed questions of zoning district boundary lines.
  - 1. A zoning map interpretation shall only be made upon proper written application.
  - 2. Where uncertainty exists as to the boundary of districts as shown on the Official Zoning Map, the following rules shall apply:
    - a. A boundary indicated as approximately following the centerline of an alley, street, highway, stream or railroad shall be construed to follow such centerline;
    - b. A boundary indicated as approximately following a lot line, corporate limit, or extraterritorial boundary line, shall be construed as following such line, limit or boundary;
    - c. A boundary indicated as following the shoreline or the centerline of a stream, river, lake, or other bodies of water shall be construed to follow such shoreline or centerline, and in the event of change in the shoreline or centerline, the boundary shall be construed as moving with the actual shoreline or centerline;
    - d. A boundary indicated as approximately following the designated limit of a special flood hazard area shall be construed as following such limit;
    - e. Where a district boundary divides a lot or where distances are not specifically indicated on the Official Zoning Map, the boundary shall be determined by measurement, using the scale of the Official Zoning Map;
    - f. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.

**B. Text Interpretation:** The Planning Director is authorized to interpret Ordinance text.

1. A text interpretation shall only be made upon proper written application.
2. Where uncertainty exists as to any meaning of this Ordinance, the provisions of Article 1 shall be used for guidance.
3. The Planning Director shall consult with the Town Attorney where there is uncertainty in the meaning of the Ordinance with respect to substantive matter.

**C. Advisory Opinions Regarding Nonconformities:** An advisory interpretation or advisory opinion given by the Administrator is not binding and does not constitute a final and binding decision subject to appeal under Article 6.

**D. Procedure for Evaluating Unlisted Uses:** See procedures set forth in Subsection 14.02.06.

**2.06.03 Planning Director**

**A.** The Planning Director is the administrative head of the Planning and Inspections Department.

**2.06.04 Floodplain Administrator**

**A.** The Administrator or their designee, hereinafter referred to as the “Floodplain Administrator”, is hereby appointed to administer and implement the provisions of Article 30.

(Ord. 20150007, 02-23-2015; Ord. 20160222, 05-19-2016; Ord. PL04727-050721, 07-01-2021)

**2.07 Public Works Director**

**2.07.01** The Public Works Director is the administrative head of the Public Works Department.

**2.07.02** When referenced in this Ordinance, references to the Public Works Director shall include their designee.

(Ord. 20150007, 02-23-2015; Ord. PL04727-050721, 07-01-2021)

**2.08 Town Council**

**2.08.01 Town Council**

**A.** In considering proposed changes in the text of this Ordinance or in the zoning map, the Council acts in its legislative capacity and must proceed in accordance with the requirements of Article 9.

**B.** Unless otherwise specifically provided in this Ordinance, in considering amendments to this Ordinance or the zoning map, the Council shall follow the regular, voting, and other requirements as set forth in other provisions of the Code of Boone, the Town Charter, North Carolina General Statutes and the North Carolina Constitution.

(Ord. 20150007, 02-23-2015)



# Town of Boone



May 18, 2022

North Carolina State Historic Preservation Office  
109 E. Jones St.  
Raleigh NC 27601

## RE: Certified Local Government Application for Town of Boone, NC Historic Preservation Commission

Dear Certified Local Government Review Team:

Please accept this letter as an addendum to our application detailing the Town of Boone, North Carolina Historic Preservation Commission training sessions. Our records indicate the following training sessions since 2018. Although the Historic Preservation Commission is not part of a Certified Local Government, the members and the Town of Boone Planning and Inspections staff liaisons have attended training sessions and have encouraged and required our HPC members to attend training. Please view the training subjects, dates, and attended members in the chart below.

| TRAINING SUBJECT                                    | HOSTED BY                                                       | INDIVIDUALS IN ATTENDANCE                                                                      | AFFILIATION                                                                                              | DATE OF TRAINING   |
|-----------------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--------------------|
| Quasi-Judicial Board Training (Boone, NC)           | UNC School of Government, WCU Local Government Training Program | 1. Bettie Bond<br>2. Eric Plaag<br>3. Christy Turner<br>4. Marlene Crosby                      | 1. HPC Member<br>2. HPC Member/Chairman<br>3. Senior Planner<br>4. Admin. Support Specialist             | July 10, 2018      |
| Historic Preservation Training (Hendersonville, NC) |                                                                 | 1. Christy Turner<br>2. Bettie Bond<br>3. Rennie Brantz<br>4. Eric Plaag<br>5. Charles Watkins | 1. Senior Planner<br>2. HPC Member<br>3. Town Council Liaison<br>4. HPC Member/Chairman<br>5. HPC Member | August 17, 2018    |
| Quasi-Judicial Board Workshop (Virtual)             | UNC School of Government                                        | 1. Marlene Crosby<br>2. Jane Shook<br>3. Allison Meade<br>4. Eric Plaag<br>5. Virginia Roseman | 1. Admin. Support Specialist<br>2. Director of Planning & Inspections<br>3. Town Attorney                | September 13, 2021 |



# Town of Boone



|                                                       |                                                                          |                                                                                                                      |                                                                                                                                                                                                         |                  |
|-------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|                                                       |                                                                          | 6. Charles Watkins                                                                                                   | 4. HPC Member/Chair<br>5. Town Council Liaison<br>6. HPC Member                                                                                                                                         |                  |
| Town of Boone<br>Quasi-Judicial<br>Training (Virtual) | Town of Boone<br>Staff, UNC<br>School of<br>Government<br>Online Modules | 1. Bettie Bond<br>2. Rennie Brantz<br>3. Izabela Willis<br>4. Jessica Mitchell<br>5. Marlene Crosby<br>6. Jane Shook | 1. HPC Member, Vice-Chair<br>2. HPC Member<br>3. HPC Member (Student)<br>4. Long-Range/Special Projects Planner, Staff Liaison<br>5. Admin. Support Specialist<br>6. Director of Planning & Inspections | January 26, 2022 |

Thank you for your consideration. Please contact me if you have any questions by email at [jessica.mitchell@townofboone.net](mailto:jessica.mitchell@townofboone.net) or by phone at (828) 268-6960.

Respectfully,

/s/ Jessica Mitchell

Jessica Mitchell  
Long-Range/Special Projects Planner

Communication: Certified Local Government (CLG) Application Status Update (Project Updates by Planning Staff)

# Town of Boone



May 18, 2022

North Carolina State Historic Preservation Office  
109 E. Jones St.  
Raleigh NC 27601

## **RE: Certified Local Government Application for Town of Boone, NC Historic Preservation Commission**

Dear Certified Local Government Review Team:

Please accept this letter as an addendum to our application detailing the Town of Boone, North Carolina Historic Preservation Commission's public measures taken to identify, protect, and promote the preservation of historic districts and properties. Additionally, this letter discusses the Town of Boone's plan and schedule for designation of any additional district(s) and/or additional landmarks.

In 2019, the Town of Boone Historic Preservation Commission (HPC) identified a local historic district for Downtown Boone. Subsequently, in October 2021, the Boone Town Council approved the Downtown Boone Local Historic District. At this time, the HPC actively functions as a quasi-judicial board that hears Certificates of Appropriateness for Major Work (COA) cases nearly monthly consistent with the Downtown Boone Local Historic District Guidelines and Standards.

While the Town of Boone has recently adopted the Downtown Boone Local Historic District, the HPC and Town of Boone Planning and Inspections staff are currently striving to improve the guiding design standards for understandable, fair, and enhanced practices in reviewing major work projects within the historic district. Both Planning Staff and the HPC will be involved in modifying processes and writing text modifications of the guiding text.

In March 2022, the HPC set its work plan for the coming year, which details potential projects. For 2022, the HPC sets out to assist with the Town of Boone's sesquicentennial celebrations, referred to as "Boone 150", as the Town has its 150th anniversary. In addition, the HPC has discussed working on at least two additional local landmark designations: Council's Store and the Watauga County Jail. While the HPC works on Boone 150 events, there is not a specified schedule of work for ongoing future projects. However, the HPC will continue to work on landmarks, associated historical markers, and interpretative panels.

Thank you for your consideration. Please contact me if you have any questions by email at [jessica.mitchell@townofboone.net](mailto:jessica.mitchell@townofboone.net) or by phone at (828) 268-6960.

Respectfully,

/s/ Jessica Mitchell

Jessica Mitchell

Long-Range/Special Projects Planner

Communication: Certified Local Government (CLG) Application Status Update (Project Updates by Planning Staff)



# 2006 Comprehensive Plan Update

PREPARED BY  
BOONE AREA PLANNING COMMISSION  
BOONE DEVELOPMENT SERVICES DEPARTMENT

Originally Adopted March 20, 2006

Revised July 19, 2018

### 2.3.2 Community Character



#### NARRATIVE

As revealed at the town meeting for the 1993 Comprehensive Plan, many area residents noted development activities along highway 321 and 105 was objectionable in terms of aesthetic impact on the community. As is the case with most issues of this magnitude, the problem is multifaceted. Since the turn of the century, building materials and techniques became increasingly homogenized throughout the United States. At the same time, major retail chains adopted a small number of development techniques and store formulas

being utilized across the country. Evidence of this can be readily seen in “formula-based” designs for discount stores, motel chains, video rental stores, fast food restaurants, and many other types of commercial buildings. Development regulations, emphasizing separation of land uses above all else, and with little or no concern for building architecture or scale, have done little to counter the flow.

#### ***What can be done***

These influences are especially damaging in a small community like Boone where the traditional rural character of a high country small town can be easily overwhelmed. If further declines in the town’s identity and character are to be prevented, both the public and private sectors will need to reconsider the methods and priorities of the present system of development. The following recommendations are an attempt to create some inroads in this regard:

#### *Establish at least minimal architectural design for new development.*

Experience from cities and towns around the country reveals that if the community does not specify what it wants, it will normally receive whatever the minimal chain store development formula specifies. Communities that are depressed economically and fighting a hard battle for new development, may feel that asking for a higher standard of design might prevent development from coming in. While this argument may have merit in economically depressed communities, it is clearly not the case in Boone, where evidence of rapid commercial development can be seen along the length and breadth of the town’s major thoroughfares.

#### *Identify critical locations in the town and zone them to require exceptional treatment.*

In every community, there are normally a number of especially significant locations that have a high degree of visibility or strategic importance. These locations may include major intersections, individual buildings of historic significance, public open spaces, or important views and vistas. In Boone, examples of such important areas might include entryways along the town’s major streets, the intersection of Blowing Rock Road and NC 105 Extension, the intersections of Blowing Rock Road and Rivers Street, the

traditional downtown area, and the university area. Due to the significance of these locations to the overall economic and aesthetic value of the town, special development standards are warranted.

*Place important outdoor spaces and new buildings of significant architectural merit in positions of visibility and prominence. Coordinate their placement with street designs.*

Over the last forty to fifty years, the practice of placing significant structures and outdoor places in the context of their site has given way to the real estate forces of minimum cost and secondarily, traffic flow. In the public sector, for example, new schools and parks are relegated to whatever land might be donated or acquired at the least expense. Post offices and tier governmental buildings, once the proud anchors of strategic, central locations, are today resigned to suburban highway locations—often buried among the malaise of commercial strip development, (e.g. objectively consider the Police Department/Development Services Department Building compared to the stately, proud civic building of earlier times). Fire halls, which once embodied the pride of a particular district in the community, are now assigned a similar fate.

This plan recommends that as new street layouts for new, mixed use neighborhoods are designed, termination points of streets (normally “T” intersections) should be reserved for buildings and outdoor spaces of architectural or community significance. Such uses might include schools, libraries, churches, public squares, or other public or private sector buildings of unusual merit or purpose.

*Incorporate significant natural and existing manmade elements into the thematic design of new developments.*

Normally, this can be accomplished by one of two methods: physical design and name recognition. Physical design can mean saving a significant tree, small pond, wetland area or old monument and incorporating these items into the open space system of the development. It can also mean saving a historic structure and creating a thematic design around it. Such a design might include architecturally compatible buildings, coordinated business signage, thematic street lights and benches, and other coordinated design elements.

*Save large trees, ponds, creeks, rock outcroppings, or other natural features of the landscape when locating new streets, buildings, parking lots, etc.*

This recommendation simply means to work with the land and its natural assets rather than fighting with it. Economic as well as environmental savings can be gained, for example, by curving an occasional street to save a large tree or rock outcropping. Many developers have now become savvy enough to realize that the preservation of a single significant tree or other natural feature may become one of the most important items in showing off the entryway or focal point of a new development. At other times, however, trees are cleared simply because they are an inconvenience to a particular chain store’s development formula or canned site plan. These are the situations where deliberate and conscientious public policy must step in to prevent wholesale destruction of Boone’s natural features.





*Relocate, if necessary, items of historic merit, monuments, significant works of art, etc. to new positions of prominence.*

There are occasions when, for one reason or another, it is best to concede that a particular item may be better off being moved, than to risk its total loss, either physically or visually. While every effort should be made to retain existing historic elements in place, sometimes a new development will change the context of their setting to such a degree that the item has become trivialized. In other instances, it may

be better to recognize that the particular item was not well located in the first place and that it deserves a better location in the community. While allegiance to original historic context should always be the community's first regard, it should not blind the town to better circumstances.

#### *Policies and Actions*

- A.** The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.
  - A.1** Conduct on-going assessments of critical locations in community deserving special attention by the zoning ordinance, in light of their high visibility, traffic impact, strategic location, or other unique features. Continue to encourage significant new public buildings and outdoor spaces to locate in these and other positions of visibility and strategic prominence. Encourage the private sector to do likewise.
  - A.2** Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary.
- B.** Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
  - B.1** Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.
- C.** Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
  - C.1** Consider the placement of public art at appropriate locations in downtown, including murals.
- D.** The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.
  - D.1** Carefully scrutinize proposed road widening to ensure that such actions do not destroy community and neighborhood character.

- D.2** Continue to support the Town's tree preservation standards. Evaluate the effectiveness of the tree regulations since their establishment and amend them as necessary.
- E.** New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.



LINNEY ST

EV Charging Station

Underground Conduit



Communication: Electric Vehicle Charging Station (Plans and Photo) (Electric Vehicle Charging Station at the Downtown Boone Post Office)





Communication: Electric Vehicle Charging Station (Plans and Photo) (Electric Vehicle Charging Station at the Downtown Boone Post Office)









**TOWN OF BOONE**  
**HISTORIC PRESERVATION COMMISSION**  
**MEETING MINUTES**  
**JULY 12, 2022, 3:00 p.m.**  
**WebEx Video Conferencing**

---

**Historic Preservation Commission Members in Attendance:**

Chair Eric Plaag, Vice-Chair Bettie Bond, and Chuck Watkins

**Council Liaisons:** Virginia Roseman

**Town Staff in Attendance:**

Jane Shook-Director of Planning & Inspections, Christy Turner-Senior Planner, and Marlene Crosby-Board Secretary

**Others in Attendance:** Tim Futrelle-Mayor, Amy Davis-Interim Town Manager, Allison Meade-Town Attorney, Jim Deal-Attorney at Deal, Moseley and Smith, John Winkler-Winkler Organization, Judah Goheen-Winkler Organization, Brent Davis-Brent Davis Architecture, Bill Dixon-Appalachian Architecture, Alan Crees-Municipal Engineering, Deron Geouque-County Manager and Chelsea Garrett-Attorney at diSanti, Capua and Garrett, PLLC

---

**Call to Reconvene**

Chair Eric Plaag reconvened the Boone Historic Preservation Commission hearing from June 14, 2022, held via WebEx, at 3:00 p.m.

Discussion ensued on a possible modification to the agenda. Chair Plaag explained that the Council had asked the HPC to weigh in on the property involved in Case Z05606-032422 River Street Ventures – COA as to its historical value concerning the possibility of salvaging or moving the building. He asked Ms. Meade, because of the time-sensitive nature of the request would it be appropriate for the HPC to make a formal recommendation in this hearing. Ms. Meade said yes if it is a time-sensitive topic. She generally said her preference would be for the HPC to consider their discussion on the said topic at their advisory meeting to prevent confusion. Ms. Shook noted that the applicant still has to go through the conditional district and then a zoning permit process. She said some time could be made for this discussion at the HPC's next advisory meeting. Chair Plaag voiced his concern that the clock is already ticking on the 90 days for the materials to be submitted that were required to meet the conditions for the 90 days on the demolition. Ms. Meade pointed out that it should have been made clear at the last hearing that even though the HPC set the 90-day timetable, the Unified Development Ordinance has a standard requirement that no demolition is allowed until a final zoning permit is issued. Chair Plaag asked that this topic be placed on the next HPC advisory meeting agenda. He withdrew his suggestion to include the discussion and possible recommendation of the historical value and possible salvaging of the Café Portofino building.

**Case Z05606-032422 Rivers Street Ventures – Certificate of Appropriateness for Major Work**

John Winkler, on behalf of Rivers Street Ventures, LLC, is requesting a Certificate of Appropriateness (COA) for Major Work for the demolition of the existing building (currently Café Portofino) at 970 Rivers Street (Watauga County PIN: 2900-78-7965-000) at the Downtown Boone Local Historic District and proposed new construction of a one-story hotel.

Chair Plaag announced that the case is being continued from May 10, 2022 till July 12, 2022.

Chair Plaag reopened this case and Ms. Jane Shook, Director of Planning and Inspections, and Ms. Christy Turner, Senior Planner were sworn in.

Ms. Meade confirmed with Planning Staff that there was no one from the public that had asked to speak on this case.

Chair Plaag asked the HPC the following questions: does anyone have a fixed opinion about the case that is not susceptible to change; have a conflict of interest regarding the case, including any financial interest in the outcome of the case; have a close familial relationship with any person affected by the outcome of the case; or engaged in any undisclosed ex-parte communication regarding this particular application. There were no answers in the affirmative to these questions.

Chair Plaag confirmed with Mr. Jim Deal from Deal, Moseley, and Smith that he is the attorney for the applicant. Chair Plaag asked Mr. Deal if he had any objections to the materials submitted with the updated meeting packet. Mr. Deal said he had no objections.

Chair Plaag asked if the Acme Historical Documentation Survey Report included other photographs than those within the report. Chair Plaag affirmed Mr. Judah Goheen from the Winkler Organization. Mr. Goheen responded that the consultant only gave them the photos in the report. Chair Plaag asked Mr. Deal if the consultant they hired provided a floor plan or a photo key to the building's exterior and interior. Chair Plaag said these things are often included in these kinds of reports.

Ms. Meade pointed out that the HPC did not outline a particular sort of explicit requirements or expectations for the requested report. She said if the HPC feels like they did not receive enough information, it would be helpful for the HPC to discuss it so that future applicants and staff could be given better directions. Ms. Meade pointed out that the HPC could request that the applicant ask their consultant to provide the additional photos. She asked Chair Plaag the intent of the report. Chair Plaag said the goal is to document the building that had been designated as a historic building, even though that building is potentially demolished. He further explained that it is a mitigating measure in terms of preservation. Ms. Meade noted that we could be more explicit with applicants and staff moving forward with these details.

Chair Plaag asked Mr. Deal if his applicant could ask their consultant to provide the following things: all photographs so they can be appropriately stored, and a floorplan with a photo key that documents various numbered photos taken inside and outside of the building. Mr. Deal said the applicant is willing to ask the consultant to provide these things, provided they will do it without an additional charge. Mr. Goheen asked if they could hand draw a floor plan. Chair Plaag agreed to accept a hand-drawn floor plan with the photo key. Ms. Meade suggested that the HPC accept the report that has been submitted and published in the meeting packet. There were no objections to the report in the meeting packet.

Discussion ensued on the new proposed building elevations. Mr. Deal said that based on comments at the last hearing, the applicant had redesigned the building. Mr. Deal called on Mr. Brent Davis from Brent Davis Architecture as a witness to present the changes from the written description of the proposed work. After Mr. Davis was sworn in by Chair Plaag, Mr. Davis began his review of the proposed building changes from the packet between the April 28, 2022 submittal and the June 23, 2022, submittal.

Mr. Deal asked Mr. Davis to speak to the comments in the meeting packet by Ms. Amy Flieg, Town of Boone Fire Marshal. Mr. Davis explained that a sprinkler room on the first floor of the proposed building would accommodate a backflow device.

Discussion ensued on a revised site plan. Ms. Meade pointed out that a revised site plan was offered but inadvertently omitted from the meeting packet, but it has been added and can be viewed online.

After Mr. Gaston was sworn in, he began explaining that he had met with Mr. Justin Stines, Facilities Maintenance Supervisor, and Ms. Flieg and discussed relocating the dumpster and changing the access by closing some of the entrances. Mr. Gaston said these proposed changes are not shown on the revised site plan currently shown but that he did have an updated one that he could email to Ms. Shook so that she could share. Once Ms. Shook

received the email she shared the revised site plan on the screen where Mr. Gaston explained that there was also a discussion about a fire apparatus, but since they are taking down two power lines directly in front of this building for this project, the fire department can use ladder trucks when needed. He added that the proposed parking spaces are now 45 as opposed to 47 spaces. He said that one significant change is that there is no longer any vehicular access to Howard Street from the proposed hotel parking lot.

Chair Plaag asked Mr. Gaston about a fencing component at the northeast end of the parking lot. Chair Plaag asked if the current design would provide pedestrian egress from the parking lot for the proposed hotel to Howard Street. Mr. Gaston said that is correct.

Chair Plaag asked the Planning Staff if they had any questions about the revised site plan. Ms. Turner said no and confirmed that the proposed parking spaces were adequate for the buildings. Ms. Meade asked the Planning Staff if they felt the submitted materials and design details were specific enough and met the requirements of the Unified Development Ordinance. Ms. Turner said yes at this time, unless the applicant makes other proposed changes or if something arises during the conditional district zoning map amendment process.

Chair Plaag expressed his concern for the lack of pedestrian access to Howard Street from the parking lot and the potential impacts on neighboring properties. He said if there is no access given, there is a potential for pedestrians to walk through other areas to get from the hotel to Howard Street. He asked the Planning Staff if there was a mechanism in the UDO to allow pedestrian access. Ms. Turner said yes, the access could be by a sidewalk or walkway. She suggested that the Planning Staff review the Howard Street Plan to see if it is feasible to have an access point there. Ms. Meade asked if the applicant would be willing to agree to provide a pedestrian access with hardscape, subject to the condition of working with Mr. Stines and Mr. Todd Moody at the Public Works Department, and to be consistent with the Howard Street Plan. After being sworn in by Chair Plaag, Mr. John Winkler, the property owner, agreed to the proposed condition.

Discussion ensued on the standard for new commercial construction projects. Chair Plaag asked for clarification on building height. Ms. Shook noted that as proposed the applicant had met the height requirements and due to ordinance requirements the applicant was required to do an additional process because the height of the proposed building exceeded the height of the original building.

Discussion ensued on the appropriateness of a proposed new commercial building. Chair Plaag read Section 14.7 and pointed out that the proposed building is longer and higher than the existing building. He voiced his concerns from a mass, scale, and height perspective as to whether this building, for this particular part of the district, is appropriate in scale and massing. He said he is raising this issue because it is a change from what historically has been there. He said he wanted to be sure that the Planning Staff was not saying that the proposed project meets the district standard and only addresses the required standards of the UDO. Ms. Meade responded that this was correct. She suggested that the Planning Staff revise this section to clarify that they were speaking to general UDO standards. She said that otherwise, they would be pre-judging the work of the HPC.

Discussion ensued on the staff comment under Section 14.10. Chair Plaag pointed out that this staff comment is incorrect in the staff report. Ms. Turner agreed that the staff comment was incorrect.

Discussion ensued on the staff comment under Section 3.6 on packet page 161. Chair Plaag read this section and pointed out that the staff comment states that the applicant meets the UDO setback requirements. He asked if the setbacks are relevant to this particular standard, since this is a standard that addresses building mass and open space and the relationship between those two things, and not a UDO requirement regarding setbacks. In response to the staff comment, Ms. Meade noted that Ms. Turner might have been speaking to the underlying general UDO standards. She said it is up to the HPC to apply the historic standards.

Chair Plaag opened the public comment session of the meeting. There was no public comment presented.

Chair Plaag asked Mr. Deal if he would like to rebut any evidence or discussion presented at this hearing. Mr. Deal said no.

Chair Plaag asked Mr. Deal if he would like to give a closing summary or argument or defer that until after the staff has any interest in making additional statements. Mr. Deal said he would wait for Staff to comment. Ms. Turner said the Staff had no further comments.

In summary, Mr. Deal pointed out that the revised site plan included everything the HPC requested. He reiterated that the proposed building is out of the floodway. He noted that inserting the set back in the center of the new proposed building changes the massing along the street. Mr. Deal noted that the applicant thought it was important to have a hotel support the downtown area. He said the applicant does recognize that a conditional district rezoning map amendment is required for the proposed hotel. He said opening up the stream, creating a pedestrian walkway, and closing the vehicular traffic to Howard Street all benefit the downtown area.

Chair Plaag opened the floor to the HPC for discussion on the proposal of the new building design and its relationship to the applicable standards. Member Watkins confirmed that all the staff comments on packet page 151 had been met. Ms. Turner explained that certifications for the stream bank restoration would be required later. Member Watkins asked Chair Plaag if any wire-cut brick exists in the Downtown area. Chair Plaag said there is a mix of brick types and some buildings that fall into the period of significance have wire-cut bricks. Chair Plaag said he thought wire-cut brick was appropriate for the historic district. Member Watkins agreed with the proposed color of the brick.

Chair Plaag explained that the HPC does not want to create a sense of false historicity in existing architecture or new construction because that would not be appropriate.

Discussion ensued on scale and massing of buildings. Chair Plaag voiced his concern about controlling scale and massing so that it is appropriate for the historic district.

Vice-Chair Bond noted that it is important to be careful about handling the first new construction due to the Howard Street project. She noted her concern for any precedence set that would influence projects in the historic district.

Member Watkins congratulated the applicant and his team for the significant improvement in the proposed new building design; he thought it would fit well in the historic district.

#### **Motion and Vote:**

Member Watkins made a motion, seconded by Vice-Chair Bond, to accept the proposed exterior modification of the proposed hotel because it is congruous with the special character of the historic district.

Chair Plaag asked Member Watkins to accept a friendly amendment to add the condition for the pedestrian access from the proposed hotel parking lot to Howard Street. Member Watkins accepted the friendly amendment.

Member Watkins also included the conditions of approval that are automatically included as a part of the approval. Vice-Chair Bond accepted this friendly amendment and to include the following conditions.

1. New construction: Where there is a conflict between the application information (March 24, 2022) and the plans (June 24, 2022), the plans control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.



3. The applicant shall submit the necessary applications, plans, details and specifications which meet the requirements of the Town Code, UDO, Building Code and any other applicable codes for review and approval necessary to issue Zoning and Building Permits
4. The applicant agreed to work with the Public Works Department to locate and to construct a pedestrian access between the hotel parking lot and the streetscape improvements for Howard Street.

**Vote:** Aye – all

Nay – None

**The motion passed.**

Discussion ensued on the timeframe to continue this meeting. Ms. Shook noted the time of day and explained that two more cases were on the agenda to be discussed. Vice-Chair Bond said that she would have to leave the meeting at 5:30 pm. After brief discussion, Chair Plaag continued Case Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) COA to the HPC's next quasi-judicial hearing on Tuesday, July 26, 2022, at 3 pm, via WebEx. He noted that if the case is not heard on that date, it will be heard on the following quasi-judicial hearing date of August 9, 2022, at 3 pm, via WebEx.

#### **Case Z05738-052522 Watauga County Parking Deck – COA**

Deron Geouque, County Manager, on behalf of Watauga County, has requested a Certificate of Appropriateness for Major Work (COA) for the proposed new construction of a parking structure on Water Street (Watauga County PIN: 2900-79-9830-000), located in the Downtown Boone local Historic District.

Pursuant to the Town of Boone Unified Development Ordinance (UDO), Appendix D, Downtown Boone Local Historic District, specifically the section on COA application for Major Work, a COA is required for new construction of the structure in the Downtown Boone Local Historic District.

Chair Plaag asked the HPC members and the Planning Staff to state their names and noted that the Planning Staff had already been sworn in. He explained the process that the HPC and Planning Staff follow for a quasi-judicial hearing.

Chair Plaag asked the HPC the following questions: does anyone have a fixed opinion about the case that is not susceptible to change; have a conflict of interest regarding the case, including any financial interest in the outcome of the case; have a close familial relationship with any person affected by the outcome of the case; or engaged in any undisclosed ex-parte communication regarding this particular application. There were no answers in the affirmative to these questions.

Chair Plaag asked Ms. Chelsea Garrett from di Santi, Capua, and Garrett, if she was acting as Counsel on behalf of the applicant. Ms. Garrett confirmed she was the applicant's attorney and noted that also with her was Mr. Bill Dixon from Appalachian Architecture, Mr. Deron Geouque, Watauga County Manager and Mr. Alan Crees from Municipal Engineering.

Ms. Garrett made the following opening statement; she presented the property's history and the concerns expressed regarding the demolition of the building. She asked Chair Plaag if he would state for the record that the statements he made during that time would not color his judgment regarding this proposed project, given that there would be new construction on the site where the Turner House used to be. Chair Plaag stated that the history of the house occurred before a historic district was established. He said he saw that as a separate issue from what is being proposed, now that there is a historic district. He assured Ms. Garrett that he had no bias with regard to the proposal described in this case.

Discussion ensued on combining lots to build a single building across multiple lots not permitted in the historic district. Ms. Garrett pointed out the clause in Appendix D, Section 14.4 regarding combining lots. Ms. Meade pointed out to the HPC that she had previously given the opinion to Council and Staff that this particular standard is unlawful and unauthorized with respect to seeming to state that applicants cannot combine lots. She explained that as a result of that opinion, a text amendment is being presented to the Planning Commission and to Council to strike that particular standard. She counseled the HPC not to apply that standard concerning the lawfulness of the combination of lots involved in this proposed case as noted in the Staff Report. Chair Plaag said that it is appropriate for the HPC to apply the size, scale, massing, and height standards to the proposed project. Member Watkins asked Ms. Meade if the HPC could approve a proposed project before changing the regulation. Ms. Meade said yes because the text amendment is in the middle of being possibly changed. It was stated that it seems unlikely that this case will be finished tonight; therefore, the text amendment may be approved by the time the HPC hearing is reconvened for this case. She said there is no legal authority to support that standard, so she is counseling the HPC not to apply that standard to the proposed project.

Ms. Garrett continued with the opening statement. She said the design seeks to tuck the proposed parking deck into the topography of the site so that the structure does not appear to have a large mass or scale. She said the applicant desires to have an attractive building, and there are a number of ways that it could be designed. She said there are a couple of design features they are open to discussing, and Mr. Dixon will cover them in his presentation. She said she looked forward to the HPC's feedback on the proposed project design.

Ms. Garrett asked Mr. Dixon to present the proposed site plan for the project. After Mr. Dixon was sworn in by Chair Plaag, he began the presentation. Mr. Dixon said that his firm had been working for six months or more with the applicant and Mr. Crees to figure out more parking spaces around the courthouse. He said they concluded that a parking deck is necessary to create more parking. Mr. Dixon presented the elevations and the project description as outlined the meeting packet.

Mr. Dixon noted that the existing at grade parking lot owned by the County was underutilized due to poor winter conditions. He said the proposed change would increase parking from roughly 40 to 139 spaces, with the lower level accessed off of Water Street and the upper deck accessed off of Queen Street. He noted the entrance into the parking deck would be landscaped with a seating area and that they will try to save the weakened cherry tree as well. He said the lower end of the deck entrance on Water Street has a 15-foot setback and a 35-foot setback closer to the deck exit near Queen Street. He said the Town requires a five-foot sidewalk, and the applicant is proposing to install it.

Mr. Dixon noted some discussions with the Public Works Department regarding cutting down the Town-owned retaining wall on Queen Street and making it level with the street. He said this would make it easier for the Town to plow snow in winter weather. He explained that the upper-level entrance and exit would be off the alleyway off of Queen Street. He said the building code required the structure to have two pedestrian exits, one at both levels of the two-level parking deck. He said there is one stairway on the northwest corner of the parking deck that goes down to Water Street, and another stairway on the southeast corner leading to the upper level and the alleyway. He noted that the height of the stairways is 18 feet, and with the parapets it is the highest part of the structure. He said that all perspectives of the building height are based on where you enter at Water Street, and all the building heights are under the 33 feet minimum building height regulation; the ground level at Water Street is 28 feet, and the rest of the building varies in size between 16 feet and 18 feet.

Discussion ensued on various building heights. Ms. Garrett asked Mr. Dixon to identify the proposed building height, if you are standing on the grade level at the stairwell next to the Clement Law Office building. Mr. Dixon said it is about 32 feet. She asked Mr. Dixon to compare the height of the proposed deck to the My Phở Restaurant building height, and he said they were probably comparable in height. Chair Plaag asked the approximate height of the gable on the Turner Law Office; Mr. Dixon said he would guess it would be approximately 30 feet. Ms.

Garrett stated that she would get this information for Chair Plaag. Ms. Garrett asked Mr. Dixon if the proposed deck would affect the sight line of the buildings on Queen Street. Mr. Dixon said no.

Discussion ensued on the elevations. Mr. Dixon talked about Water Street in Exhibit 6; he explained the entrance and exit, and the two-story stairway feature. He outlined the location of the retaining wall on the side of the structure, and he said if the retaining wall remains, it will screen part of the structure from the Queen Street view. He further stated that the east elevation is the alleyway. Mr. Dixon continued his explanation that the Town requires a minimum height of 42 inches to screen parking inside the building. He stated this exhibit is showing a varying height to break up the massing from about 42 inches to 60 inches. He added that the stairway exit is about 15 feet. Additionally, he stated the structure will be screened because of the change in grade and elevation.

Discussion ensued on roof types. Mr. Dixon said he looked at a variety of different roof types. He pointed out that flat roofs work to a certain extent but they cause maintenance issues with the freezing and thawing in winter weather. He said that because of this issue, the County is using gabled, hipped roofs on their buildings. He said the County requested that the proposed deck roof be tied into the roofs of the surrounding county buildings. He noted that a gabled, hipped roof is appropriate for the historic district. Ms. Garrett confirmed that the pitched roof being proposed is over the structure at the stairways.

Discussion ensued on materials. Mr. Dixon said the UDO requirements limit the look to either brick or stone. He said he selected the rock like the old Linney Law Office building, and the type of brick is from the brick used on King Street. He said both the stone and brick that he selected are very compatible.

Discussion ensued on the apartment building located adjacent to the alleyway. Ms. Garrett asked Mr. Dixon about the height of the closest building to the proposed structure, an apartment building situated in the alleyway and Queen Street. Mr. Dixon said the height of the apartment building is about 24 or 25 feet. He said it is a two-story building with a flat sloping roof. She said if you are on Queen Street looking at the proposed deck will it stick up over any of the structures around it. Mr. Dixon said no.

Discussion ensued on a proposed change to remove the retaining wall along Queen Street. Mr. Dixon said there had been some discussion between the North Carolina Department of Transportation and the Town of Boone Public Utilities Department on removing the retaining wall, and making a 90-degree turn at the corner of Water Street and Queen Street to improve sight when turning at this intersection.

Discussion ensued on the staff comments. Ms. Garrett asked Mr. Dixon if he had received any comments from the staff; he said yes and that he had addressed the staff comments. Ms. Meade clarified that every project approved by the HPC still has to be approved by staff and be fully compliant with the UDO. Ms. Meade added that regardless of what is said at this hearing, the proposed application must comply as part of the subsequent process following this initial approval.

Chair Plaag asked Ms. Garrett if she had any objections to the materials provided in the meeting packet. She said one section in Appendix D talks largely about renovations or additions to existing historic buildings. She said she thought this language was more for existing buildings than new construction. Chair Plaag suggested that the language be struck from the staff report because it is irrelevant to this case.

Chair Plaag asked Mr. Dixon about the sidewalk in the alleyway being changed to a serpentine sidewalk. He said he was concerned that it would limit vehicular access to the west side of the Terrace Apartments. Mr. Dixon said he would need to defer to Mr. Crees to answer this question because Mr. Crees had talked about moving the sidewalk to the right side of the alleyway and working with the apartment property owner on a parking agreement. Mr. Dixon said the applicant is proposing a sidewalk in the alleyway, and it is up for discussion as to the final location of it.

Discussion ensued on stone pilasters with brick. Chair Plaag asked Mr. Dixon about the combination of stone pilasters and brick that he used to break up the façade. He said it almost looks like coins that continue up to the second-floor level. He asked Mr. Dixon if there was another way to break up the façade through other brick elements and suggested brick pilasters. Chair Plaag said brick pilasters would be more in keeping with Downtown's architectural patterns than mixing up the stone and brick. Mr. Dixon said he would be glad to entertain that idea.

Discussion ensued on using arches on the proposed deck openings. Chair Plaag said he knew of two buildings that historically used rounded arches. He mentioned the Watauga County Bank building having an open angle but used a brick element to suggest a proper round arch. He said the former Pastime Theatre had three round arches that were flat. Mr. Dixon said that he could not do round arches because there was not enough room between the floor levels; he said he could flatten the low arches to where they are just straight lines and angles. Member Watkins did not support that idea. Member Watkins said he liked the low arches better, but they may not meet historical precedence. Ms. Garrett asked Chair Plaag if he was questioning the shape or the material around it. Chair Plaag voiced his concern about mass, scale, height, and footprint. He said one of the ways to minimize the impacts architecturally is to use the stone pilasters as a feature because it draws the eye. Chair Plaag noted that using limestone sills, headers, and lentils might be a way of finding cohesiveness for the openings with other buildings Downtown. Ms. Garrett said they could change the openings to square and flat and use limestone material.

Member Watkins indicated that he might not necessarily agree with the changes discussed by Chair Plaag. Member Watkins noted that we probably need more discussion before the applicant proposes a major redesign for the parking garage. Chair Plaag pointed out that Vice-Chair Bond and Member Watkins had not given their feedback on the proposed changes.

Mr. Dixon asked if it would be appropriate to make some of the proposed changes discussed in this hearing before the next hearing of this case. Chair Plaag said it is up to the applicant if they want Mr. Dixon to make any changes.

#### **Continuation of Hearing**

At 5:49 pm, Chair Plaag announced that he is continuing the meeting until Tuesday, July 26, 2022, at 3 pm, via WebEx or until the next regularly scheduled quasi-judicial hearing date.

---

**Eric Plaag, Chair**

---

**Marlene Crosby, Board Secretary**





*Application Information for Filing for a Certificate of Appropriateness  
for Local Historic Districts & Landmarks*

**PLEASE READ THE ENTIRE APPLICATION PACKAGE**

The Town of Boone strives to review applications as efficiently as possible. The policies outlined below enable Planning Staff and the Historic Preservation Commission to give each application the attention it deserves. Complete applications will be scheduled to appear before the Historic Preservation Commission; incomplete applications, however, will be returned to the applicant pursuant to Article 4 of the Town of Boone Unified Development Ordinance (UDO).

Approval of a Certificate of Appropriateness is required before any "major work" may be carried out with respect to improvement of a property located in Boone's local downtown historic district. Major work may include, but is not limited to, the following:

- A. New construction or additions to buildings
- B. Reconstruction of buildings once located on the site but demolished or moved at some previous time
- C. Restoration or rehabilitation of an historic property to its historic appearance
- D. Pointing of masonry as well as alteration, repair, or replacement of masonry, siding, roofing materials, architectural trim elements, foundations, windows, doors, and other significant architectural details
- E. Demolition of any part of a building or structure
- F. Work that is likely to disrupt or damage known or discovered archaeological resources on the site
- G. Moving of buildings
- H. Replacement of architectural details when there will be a change in design or materials from the original or existing details
- I. Changes to rooflines
- J. Establishment of exterior fire exits
- K. Exterior modification of existing buildings for ADA compliance
- L. Painting or stuccoing of buildings not previously painted or stuccoed
- M. Installation of mechanical systems, air conditioning units, vents, and related equipment in primary elevations that involves alteration to the building facade
- N. Location of satellite dishes, solar panels, and other roof attachments to the primary elevation roof and/or facade of a building if they are not effectively screened or are visible from a public street

**Historic Preservation Commission Information**

- Meetings: 1<sup>st</sup> Tuesday of each month at 6 p.m.
- Meetings are to be held at Council Chambers located at 1500 Blowing Rock Road.

See the published Town of Boone Planning & Inspections Meeting Schedule for more details.

## Certificate of Appropriateness for Major Work

Town of Boone Planning & Inspections Department  
680 W. King Street, Suite C ♦ Boone, North Carolina 28607

Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ Email: [planning@townofboone.net](mailto:planning@townofboone.net) ♦ [www.townofboone.net](http://www.townofboone.net)



### A. Required to be Submitted at Time of Application

*Note: A pre-application meeting is required prior to application submittal.*

**Failure to provide the required information will delay the review and scheduling of the requested hearing.**

- ☐ Digital copies of all paper submittal documents (may be emailed to [planning@townofboone.net](mailto:planning@townofboone.net))
- ☐ Four paper copies of complete site plans meeting the requirements of Town of Boone Unified Development Ordinance (UDO), including UDO Appendix A (max. size 30" x 42")
- ☐ Information in compliance with the Supplemental Checklist on Page 4
- ☐ Property Owner Authorization. If you are not the property owner, you will need to provide documentation of property owner authorization to apply for this permit. You may have the property owner sign this application (Section L), or the property owner can provide a written and signed authorization that clearly states they are authorizing the applicant to submit this application. Permit Fee (See Planning & Inspections Fee Schedule). Each application is allowed two (2) reviews. The 1st review of the submitted information and a 2nd review if revisions or supplemental information is required based upon the 1st review. Each subsequent review after the 2nd review will be charged at 50% of the original fees charged for the application. These fees shall be paid at the time of resubmittal.

### B. Requested Hearing – See latest published Meeting Schedule for dates

Date of requested hearing: July 12, 2022

### C. Property Information

Street Address:

136 NORTH WATER STREET

Watauga County Parcel Identification Number:

2900-79-9830-000

Existing Zoning District(s): B-1

Total Land Area: .717 ACRE

Are there any existing variances or other site-specific approvals granted to the property? ☐ Yes ☐ No ☒ Unknown

If yes, describe:

### D. Applicant Information

Name:

WATAUGA COUNTY DERON GEOUQUE, COUNTY MANAGER

Complete Mailing Address (Street, City, Zip):

814 WEST KING ST. SUITE 205, BOONE NC 28607

Phone Number:

828-265-8000

Email Address:

Deron.Geouque@watgov.org

Preferred Method of Contact for Written/Response Documents (select one): ☐ Mail or ☒ Email

### E. Property Owner Information

Name:

SAME AS ABOVE

Complete Mailing Address (Street, City, Zip):

Phone Number:

Email Address:

### F. Landmark/District Information

District/Landmark Name:

B-1, DOWNTOWN BOONE LOCAL HISTORIC DISTRICT

Period of Significance:

UNKNOWN



### G. Project Details

Project Cost: \$ 5.1 million

Project Type:

☒ New Construction

☐ Renovation

☐ Landscaping

☐ Moving Structure

☐ Demolition

### H. Design Professional Information

Designer is an: ☒ Architect

☐ Engineer

☐ Owner

☐ Other:

Name:

Bill Dixon

Company:

APPALACHIAN ARCHITECTURE, PA

Complete Mailing Address (Street, City, Zip):

703 WEST KING ST - Suite 201

BOONE NC 28607

Phone Number:

828-265-2405

Email Address:

bill@cappalarch.com

Additional Designer Information: If additional designers are involved beyond the one listed, please provide additional info on a separate sheet

### I. Applicant Signature and Property Owner Authorization

I hereby certify that I am authorized to submit this application, that all information is correct and complete, and all work will comply with all applicable State and local laws, ordinances, and regulations.

I acknowledge and agree that the Historic Preservation Commission members, Town employees, and Town agents may enter, solely in performance of their official duties and only at mutually agreeable times, upon the applicant's property for examination or survey thereof pursuant to North Carolina General Statute 160A-400.8.

I understand and agree that an approved Certificate of Appropriateness is valid only for the particular application, plans, specifications, and related project details presented to, and approved by, the Historic Preservation Commission. Any proposed modification or addition must be submitted to the Planning and Inspections Department for review.

By signing below, the applicant agrees to notify the Planning and Inspections Department of any changes or alterations in the data contained in this application, the approved plans, or the approved specifications related to the project that is the subject of this application.

Hearings on Certificate of Appropriateness applications before the Commission are quasi-judicial proceedings. Therefore, Historic Preservation Commission members cannot discuss a pending application with the applicant or other party. By signing below, the applicant agrees to refrain from speaking with or contacting any member of the Historic Preservation Commission about an application outside of the formal evidentiary hearing on the application.

DERON GEORQUE, CTY. MANAGER  
Applicant (Print)

  
Applicant (Signature)

5-24-2022  
Date

DERON GEORQUE, CTY. MANAGER  
Property Owner (Print)

  
Property Owner (Signature)

5-24-2022  
Date

### Official Use Only

Permit Name:

Watauga County Parking Deck - COA

|                                     |                         |                                  |                                                                                                                         |                                             |
|-------------------------------------|-------------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| Permit Number: <u>205738-052522</u> |                         |                                  |                                                                                                                         |                                             |
| Date:<br><u>5-25-22</u>             | Fee:<br><u>\$100.00</u> | Receipt Number:<br><u>521870</u> | Method of Payment:<br><input type="checkbox"/> Cash<br><input checked="" type="checkbox"/> Check<br>Number: <u>8773</u> | Paid By:<br><u>Appalachian Architecture</u> |

Public Hearing Meeting Date: \_\_\_\_\_

Date of APO Mailed Notification: \_\_\_\_\_

Date of Posted Notification: \_\_\_\_\_

Request Approved: ☐ Yes ☐ No

S:\FORMS\PL\_Forms\_Current\Planning Forms\LocalHistoricLandmark\_07012021.docx

### *COA for Major Work Supplemental Checklist*

**Note:** The following is a checklist for the presentation materials needed for your application. It is the applicant's responsibility to provide adequate photographs, architectural plans, and other material to enable the HPC to understand the proposal and its impact on the historic district/landmark. The consideration of the application may be delayed if preservation materials are not sufficient to evaluate the proposal.

- ☐ Written Description of the proposed work: Describe in detail the scope and nature of the proposed project, including exact material types, colors, and dimensions for materials to be used (e.g., width of siding, color of window trim, type of roofing materials, etc.).
- ☐ Design Standards References: Cite the applicable sections of the design standards related to and/or reflected in the proposed request.
- ☐ Photographs of Existing Conditions: Provide current photographs showing the present conditions of the area where the work will be completed and/or the portions of any existing building that will be affected by the proposed work. Photographs must be clearly labeled and keyed to a site plan.
- ☐ Site Plan: For development which includes modifications to the site in addition to the building, the applicant shall provide scaled drawings prepared in accordance with UDO Appendix A, which depict at least the relationship of all buildings, secondary structures, driveways, sidewalks, fences, drains, lighting, and trees to the property line. Clearly identify the location of any and all proposed changes. Caliper of trees should be indicated as measured from four and a half feet (4.5') above the earth's surface.
- ☐ Historical Documentation: If available, provide copies of historic photographs of the property in question, along with a list of any known previous alterations to the property (and the approximate date of those alterations). If the property is already listed on the National Register of Historic Places or is a designated Local Historic Landmark, include a copy of the nomination text for the property.



COA – Proposed parking structure @ Water and Queen Streets in downtown Boone May 25<sup>th</sup>, 2022

**PROJECT DESCRIPTION:** Construction of a new two-level parking structure on vacant land and surface parking area owned by Watauga County. The structure will provide approximately 138 standard size parking spaces adjacent to the Courthouse and Administration buildings. Approximately one-half (1/2) of the parking spaces will be covered and essentially underground.

The proposed structure will encompass the area bordered by Water Street (West), Queen Street (North) and Town owned alley to the East. The property is located behind commercial and professional buildings which front King Street. The lower level of the proposed structure which fronts Water Street is to be constructed on what is currently classified in the "Inventory Section" of the Boone Historic District Designation Report as a 'Vacant Lot' (pages 69-70). The upper level of the proposed parking structure facing the alley is to replace the current County surface parking lot.

The proposed structure will extend from Water Street to the alley with ½ of the building being underground. The 12' topographic change in elevation from Water Street to the alley provides the floor-to-floor clearances required to construct a two-level column-free parking structure. Extensive excavation will be required to create the lower parking level by removal of the existing segmented block retaining wall and fill materials that support the County's upper-level surface parking lot.

The property is surrounded on three sides by public roads, streets or alley. The south facing 4<sup>th</sup> side faces the back of the commercial and professional buildings which front King Street.

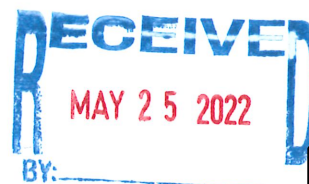
Water Street (West) – Primary pedestrian and automobile entrance/exit into the lower covered parking area including one of two required exit stairs.

Queen Street (North) - In the early 1970's, the Town widened Queen Street for parking and constructed the retaining wall along Queen Street as evidenced by the 1972 photo of the wall being constructed by Greene Construction. The southern face of the wall was constructed at the property line. Discussions are currently underway with Public Utilities Department regarding modifications to the wall that would make it less obtrusive and more attractive.

Alley – (East) The Town owned alley along the Western property line currently serves as the access to the County's surface parking lot and leads to the town owned public stairs connecting the Queen Street parking areas to King Street commercial area. The alley is also used as parking for the adjacent apartment building to the East. Old records indicate the alley was labeled as 'Cross Street' but was never developed probably due to the steep topography. The alley will continue to serve the same uses as it currently serves.

CONTEXT – There is consensus among all stakeholders that additional parking is sorely needed in downtown - particularly near the courthouse. A parking deck structure is the most efficient, though expensive, method to maximize parking in a densely developed downtown area. The nature of its function requires a relatively large area to safely accommodate vehicular and pedestrian traffic. A parking structure can partially conceal the purpose it serves, while affording the opportunity to create an exterior appearance that matches the materials, proportions, massing and scale of the surrounding buildings and Historic District.

The proposed use is permissible in the Town's Unified Development Ordinance through a conditional zoning process, following the HPC's approval of the COA.



## **DESIGN STANDARDS FOR COMMERCIAL BUILDINGS WITHIN THE DISTRICT**

### **Section 14- New construction of commercial buildings within the District**

14.1 The exterior facades of the proposed parking structure will be visible on all sides. The facades are designed to be compatible with the character-defining features of other commercial properties within the district.

14.2 Materials – The exterior facades of the proposed parking structure will be faced with brick, native stone, wood trim and other similar “historic” materials and details sympathetic to the surrounding buildings and historic district.

14.3 Design, height, massing and proportions of the proposed exterior facades will be of similar character and style of other buildings in the historic district. Even though the proposed structure will cover a large footprint, vertical divisions and variations of differing heights in the exterior façades will reflect the variety of heights and widths of traditional smaller buildings within the district. The proposed structure meets the building setbacks requirements in the Unified Development Ordinance and the NC Commercial Building Code and Fire District. The primary façade and entrance to the lower parking level faces Water Street, the primary public way. The secondary entrance to the upper parking level faces the alley.

14.4 Deeds going back to 1939 show the property as one parcel. In 2001 the county subdivided the property into two parcels for the construction of the upper-level surface parking lot. The parcel fronting Water Street was subsequently sold, then repurchased, by the county for the purpose of providing the proposed parking structure. The property has been recombined reflecting the historical deed records.

It is the applicant’s opinion that the demand for parking downtown and the exterior architectural design does not disrupt the town’s historical planning system. From a historical perspective, the proposed parking structure is of similar size and scale as the three former tobacco warehouses that were once located in downtown Boone.

14.5 It is the applicant’s opinion that the site is perfectly suited to accommodate a two-level parking structure that will begin to meet the demand for additional parking near the Courthouse. The topography offers the opportunity to conceal much of the structure and parking underground. The proposed building will comply with the requirements in the Town’s Unified Development Ordinance and Community Appearance Standards as well as NC Commercial Building Code and Fire District regulations.

14.6 Once constructed, the proposed parking structure will more closely match the topography of the original properties as the new construction necessitates the removal of the segmented block retaining wall and fill materials that supports the County’s upper-level surface parking lot. The proposed structure will align with the existing topography and elevations of the adjacent properties. Existing landscaping on the property will be preserved to the greatest extent possible including the 9” weeping cherry tree at the primary entrance on Water Street. New landscaping will be provided though it is not required in the B-1 zoning district.

14.7 The scale, height, form, massing, materials, openings, roofing and details of the proposed structure are designed to meet the function it serves, the requirements of the NC Commercial Building Code as it relates to parking structures, be compatible with the architecture of the Town’s Historical District and surrounding buildings.

14.8 The exterior building facades, materials and details are designed to break-up the size of the overall structure and provide a human scale to the streetscape. All exterior materials and colors will be compatible with adjacent properties and reflect the context of the Historical District within which it is constructed.

14.9 The design and materials of the exterior facades of the proposed parking structure will be compatible with neighboring structures and meet the requirements of the NC Commercial Building Code, Fire District requirements, and the Town's Unified Development Ordinance. The exterior is designed to break-up the overall scale of the large footprint that is required to serve the intended function.

14.10 With the exception of the two required exit stairs, the upper level of the parking structure will be uncovered and unroofed. The two exit stairs are proposed to be constructed with sloping dark brown metal roofs that match the roofs on the adjacent Courthouse buildings and reflect the design of the north (King Street) façade of the Rivers Printing Company building, now home to Ransom Restaurant and Wine to Water businesses. The proposed roof slopes over the stairs will exceed the minimal 4/12 roof slopes prescribed in this section.

Raised "parapet" walls will surround the upper parking level that meet or exceed the minimum 42" height as required in the Town's Unified Development Ordinance to conceal parking areas within a building. The "parapets" are designed and detailed using materials that reflect a true parapet wall built to conceal a flat roof.

15. The proposed parking structure meets the height, width, spacing and setback requirements as required in the Town's Unified Development Ordinance.

#### DESIGN STANDARDS FOR HISTORIC STREETSCAPES & LANDSCAPES IN THE DISTRICT

##### 1. STREETSCAPES

1.1 NA

1.2 The proposed parking structure preserve the existing streets, alleys and sidewalks.

1.3 NA

1.4 Lighting, benches, walkways and landscaping will be provided at the primary entrance on Water Street.

1.5 Site and building lighting will be provided that meets the Town's Unified Development Ordinance.

1.6 NA

1.7 The proposed project will create a shared open public space at the primary entrance on Water Street. Features will include generous landscaping, a bricked sitting area adjacent to the sidewalk with benches and preservation of the existing 9" weeping cherry tree.

1.8 Existing pedestrian and automobile traffic patterns will be maintained and continue to be used at Water Street, Queen Street and the alley.

1.9 NA

1.10 – 1.13 As noted.

1.14 The proposed parking structure is designed to be as unobtrusive as possible. The design is intended to compliment and blend with the historic architecture downtown and the not-so-historic architecture of the adjacent buildings which surround the property.

The structure will be enclosed by exterior walls that are compatible with the other buildings in the historic district in rhythm, height and materials using elements and features that reflect the better architectural history of the district.

The entrance to the lower parking level faces Water Street. The entrance to the upper parking level faces the alley. Neither street is considered a main thoroughfare.

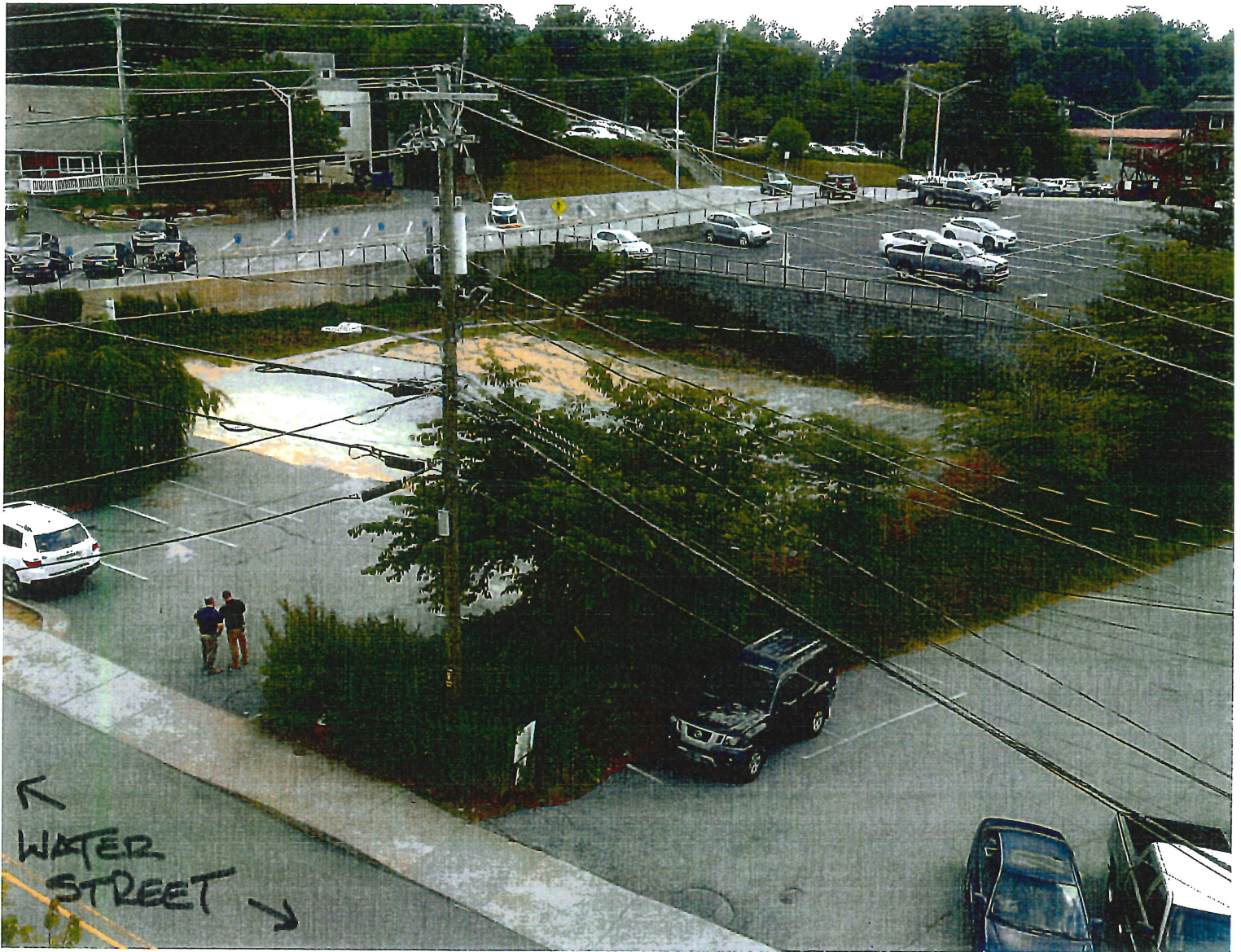
Lower-level automobiles will be screened behind landscaped public open space and exterior brick and rock facades with openings. Upper-level parking will be partially screened with minimum 42" high brick/rock walls as required in the Town's Unified Development Ordinance. Exterior walls will be designed to meet the Unified development ordinance and the NC Commercial Building Code in a designated Fire District.

The upper parking level "parapet" screen walls will vary in height to break-up the overall length of the building and be constructed with similar exterior façade details to match parapet walls on buildings in the historic district.

The proposed structure will be constructed on the periphery of the historic district. It should not change local traffic patterns or conflict with any existing streetscapes or landscapes.

1.16 - 1.18 NA

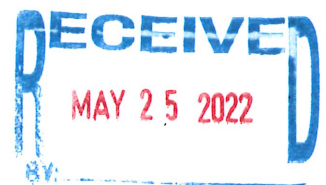




Proposed Parking Deck

May 25th, 2022

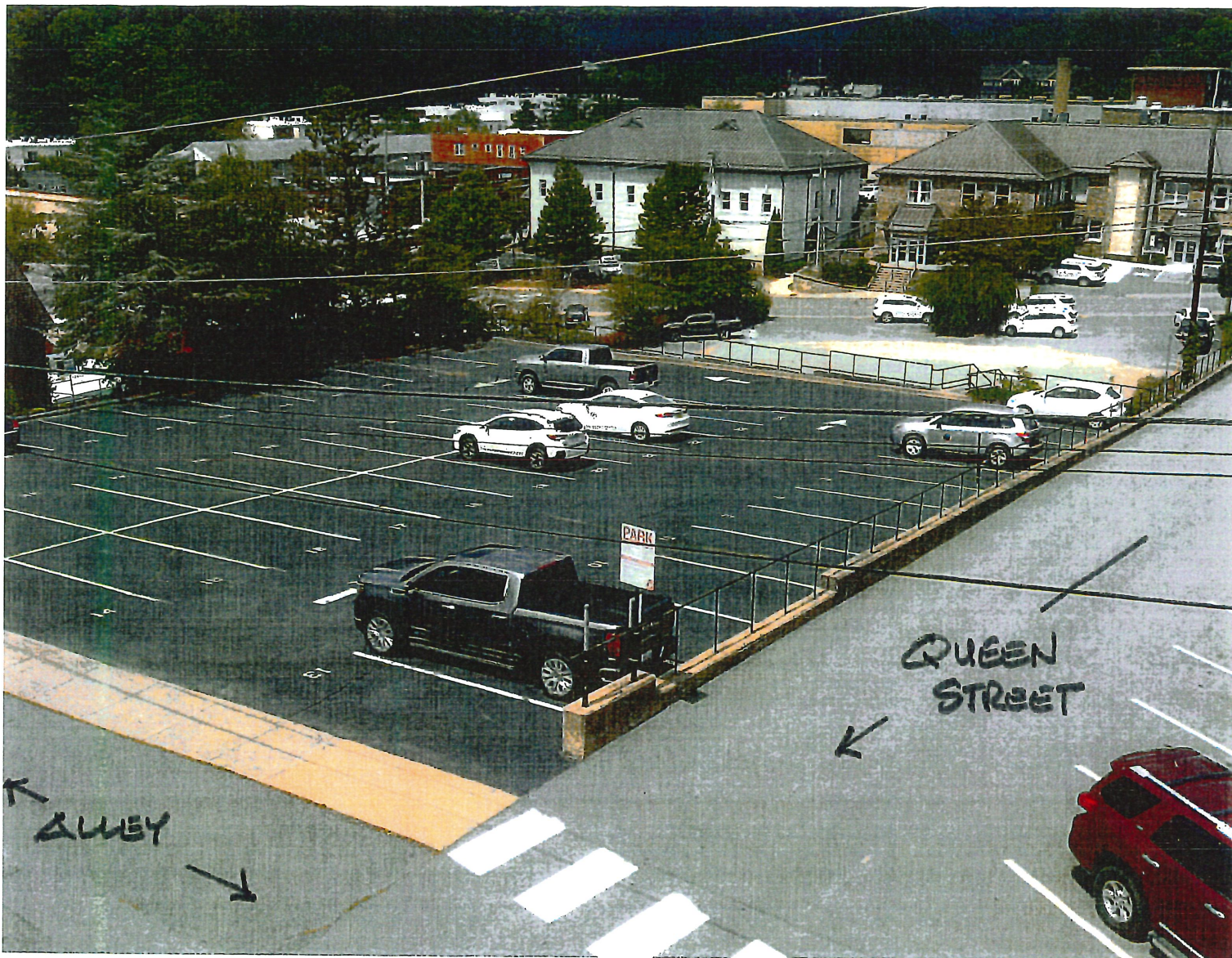
## Site Photograph of existing vacant lot on Water Street



[www.appalachian.com](http://www.appalachian.com)



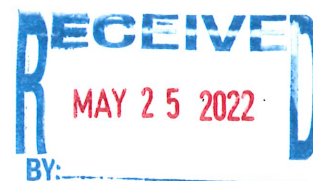




Proposed Parking Deck

May 25th, 2022

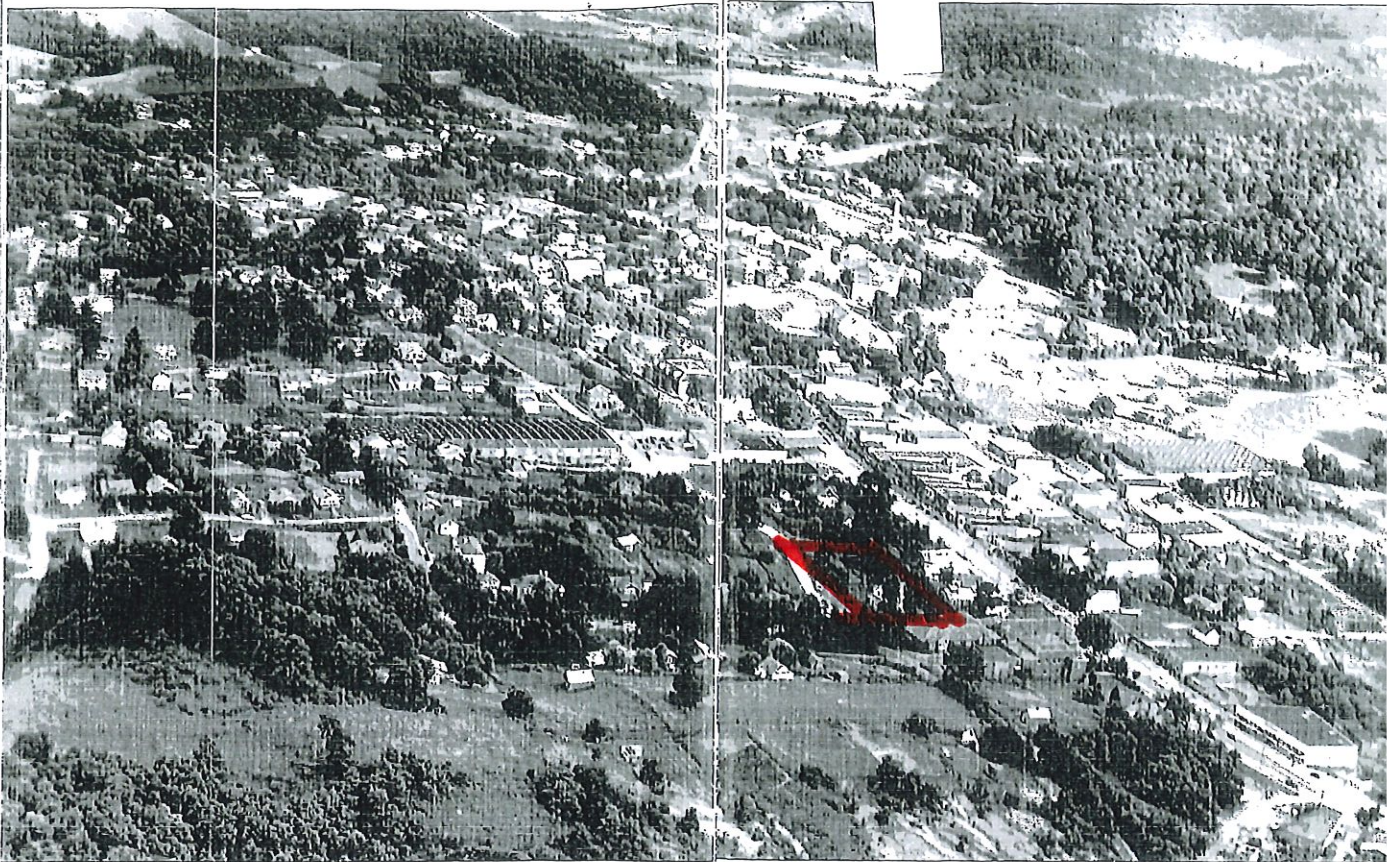
# Site Photograph of County's existing surface parking lot



www.appalachian.com







DOWNTOWN BOONE. This 1949 aerial photograph is a view of West King and Queen Streets (middle center) in downtown Boone, the Appalachian State Teachers College (top center), and Blowing Rock Road (very top center). Buildings of interest include the Watauga County courthouse (bottom right),

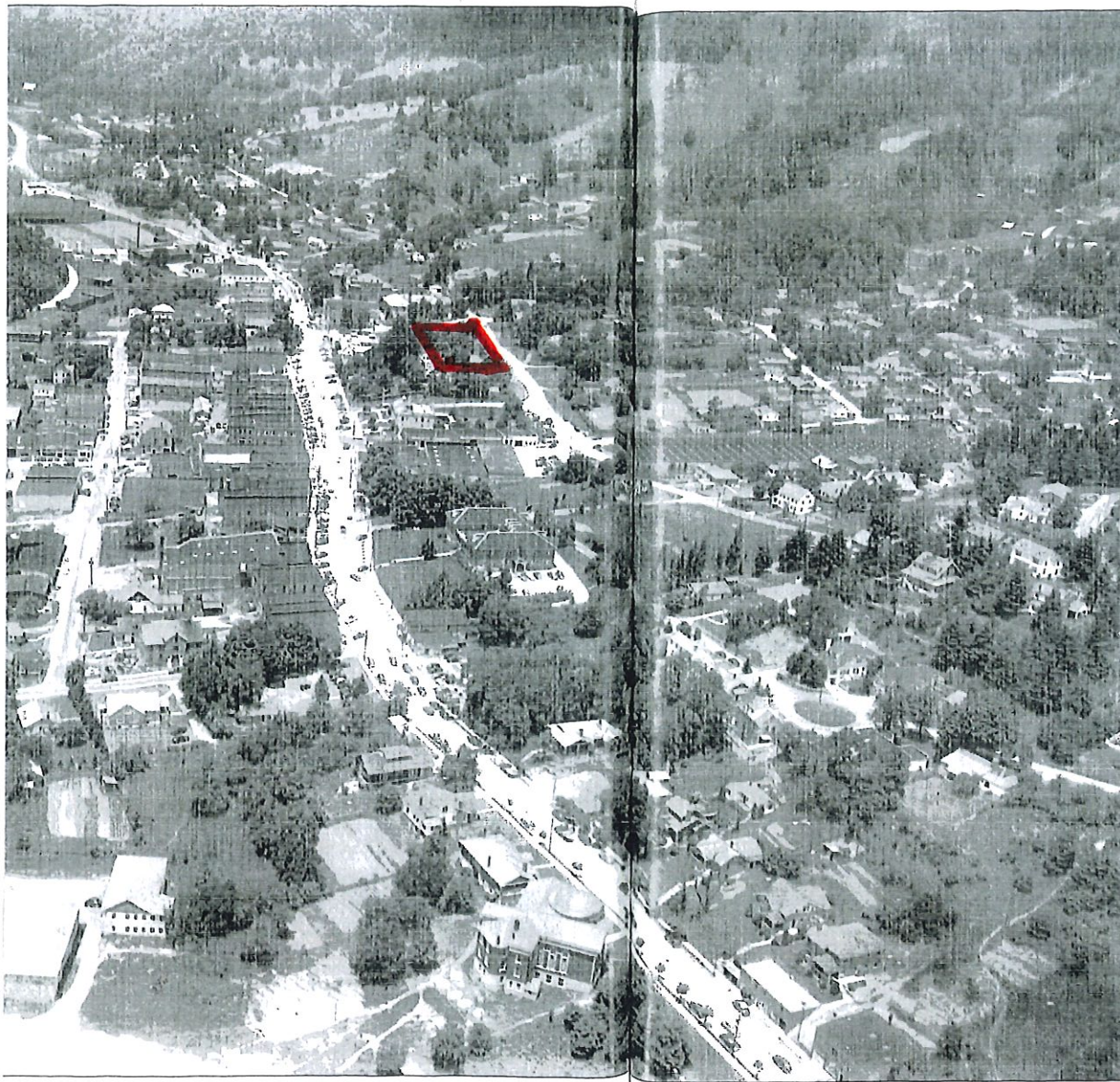
a large tobacco warehouse (middle left), the First Baptist Church without a steeple (above warehouse along King Street), and the adjacent Methodist church. (Courtesy of Brian Lambeth.)

12

IMAGES OF AMERICA - WATAUGA CO.

2008 CONNA MYERS & BRIAN LAMBETH



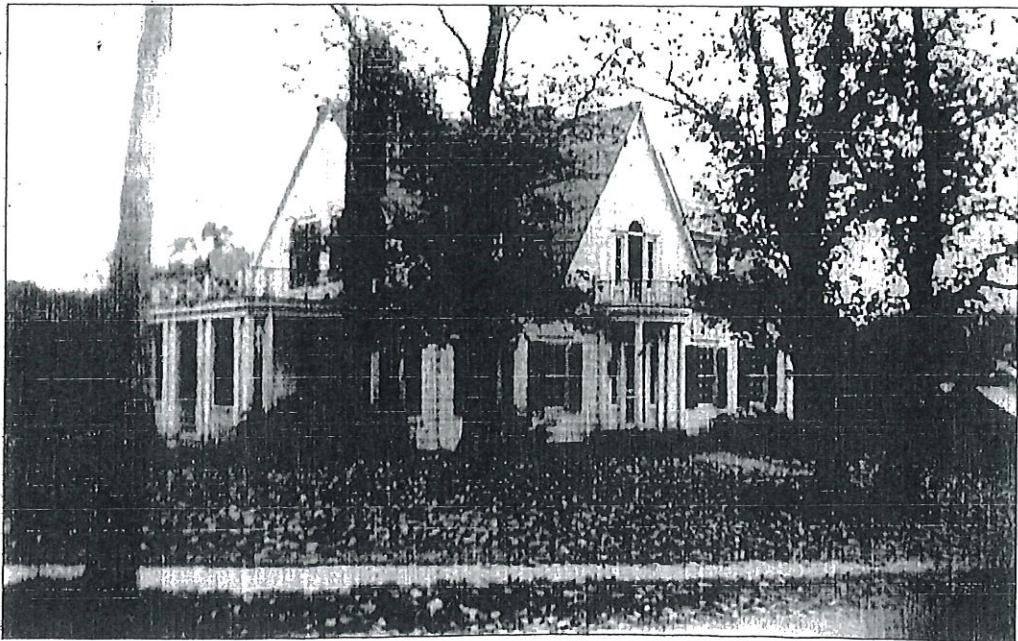


This June 1950 aerial view shows downtown Boone from the southeast and offers a different perspective on its development. Appalachian High School is at lower left, while the Daniel Boone Hotel is at center. King Street flows from upper left to lower right. Appalachian State faculty members originally built many of the homes at lower right on the north side of King Street, but in the 1950s, this area began to transition to a student housing cluster later known as Hippy Hill; many of the garage buildings along King Street expanded into apartment complexes. Note the three burley tobacco warehouses at center right, far center left, and upper left. Much of the Junaluska community, including the Mennonite Brethren Church, is visible at upper right just beyond the first tobacco warehouse. (Palmer Blair Collection.)

IMAGES OF AMERICA - REMEMBERING BOONE  
2021 DR. ERIC W. PLAAG.

51

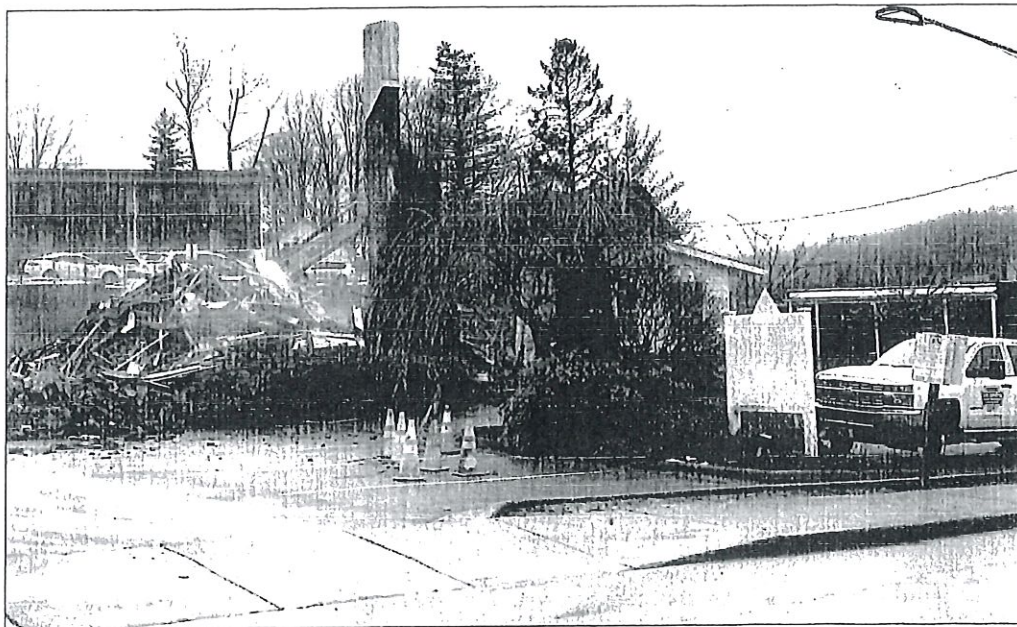




Built on North Water Street in 1926, the Oscar and Suma Hardin House was an outstanding example of Colonial Revival architecture that was unusually high style for Boone's domestic architecture. Blowing Rock mayor Robert Bogle "Bobby" Hardin (1910-1977) spent his late teenage years in this house until the untimely deaths of his parents in 1927 (Oscar) and 1931 (Suma). (Jones House Collection.)

32

IMAGES OF AMERICA - 'REMEMBERING BOONE'  
2021. DR. ERIC W. PLAAG

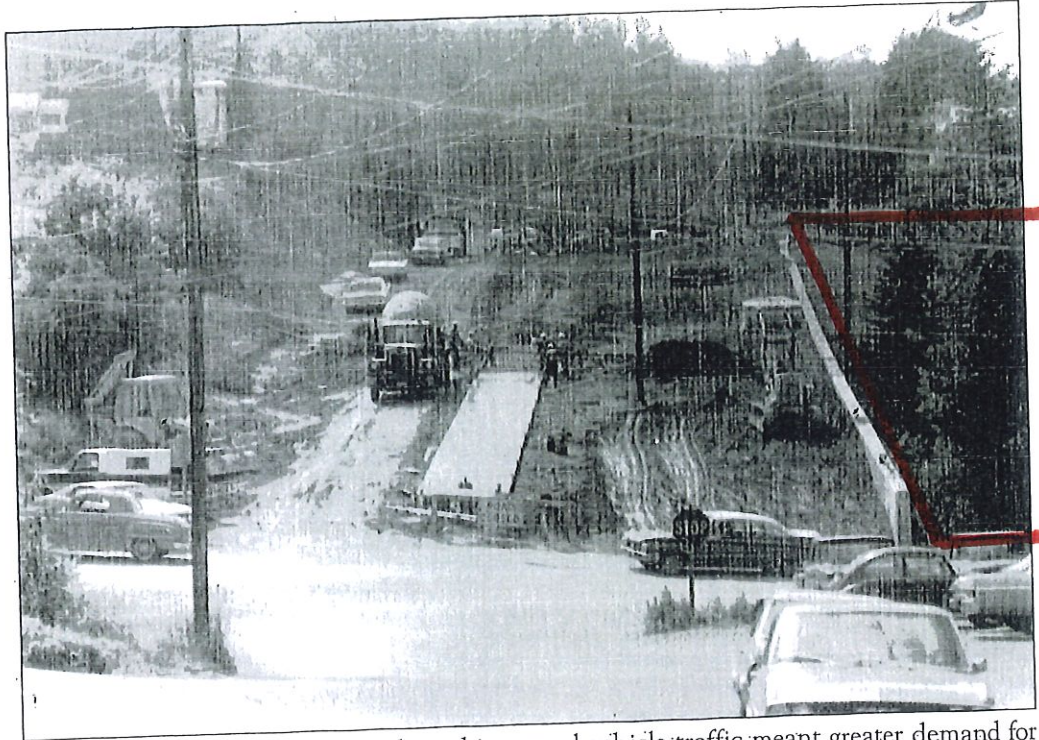


Eager to create a parking area closer to the courthouse, the Watauga County commissioners acquired the Hardin House in 2018 for use as a future parking deck site. Despite an agreement with the Town of Boone to explore an alternative location nearby, the commissioners voted suddenly—over public opposition—to demolish the house. The county bulldozed the house in January 2021, triggering outrage throughout the community. (Eric Plaag Collection.)

126

IMAGES OF AMERICA - 'REMEMBERING BOONE'  
2021 DR. ERIC W. PLAAG





High tourist demand, rapid growth, and increased vehicle traffic meant greater demand for parking. This c. 1972 image looking east along Queen Street shows the widening effort intended to create a parking island in the center of the street. The A.E. and Roberta Hodges House (1940) on Grand Boulevard is at upper center, with the North Water Street crossing in the foreground. (Paul Armfield Coffey Collection.)

104

IMAGES OF AMERICA - 'REMEMBERING BOONE'  
2021 OR. ERIC W. PLAC







elimination of the barrier fence between the two sections, to be replaced with a ground-level granite "line" demarcating the original boundary. This work is expected to be complete by 2018. The cemetery remains active (averaging one burial per year), but it is believed to be nearly full.

#### **WT0056 Oscar and Suma Hardin House**

136 North Water Street

Originally built as a residence, this one and a half-story, Colonial Revival frame building was first surveyed in 1988 and again in 2002. It presently houses a law firm. Past surveys have reported that the house was built in 1927 in error. In fact, ground was broken for construction of the house in September 1925 (*Watauga Democrat*, September 17, 1925), with work completed on the house in June 1926 (*Watauga Democrat*, June 24, 1926). Defining features of this side-gabled house include a steeply pitched gable over the main (west) elevation entrance, an ornate, second-floor, Palladian window under this entrance gable, a front entrance that has a webbed transom window and is flanked by full-length sidelights with ornate tracery, and four Tuscan columns on the porch that support the semi-circular balcony above this entrance.

As has been noted in previous surveys, the original porte cochere on the south end of the house has been enclosed as a sunroom, and the entire building is now clad in aluminum siding, but the building appears to have experienced additional alterations since 2002. The north porch described in a 1997 Study List Application has since been filled in and dramatically altered to a one-story addition with a flat roof, prominent cornice treatment, rows of six-over-six, double-hung sash windows on the west, north, and east elevations, and board and batten siding that is not appropriate to the Colonial Revival style. In addition, the two large Norwegian pines have been removed from the property for reasons that are unclear. Perhaps most distressing, the ornate, pressed tin shingles have been removed entirely from the house since 2002 and replaced with asphalt shingles.

#### **WT0067 (Former) Watauga County Jail**

142 Water Street

Completed in December 1889 by William Stephens (1870-1945) of Mayfield, Kentucky (*Watauga Democrat*, May 22, 1889, sometimes reported in error as William Stephenson of Mayesville, Kentucky), for \$5,000, the Watauga County Jail was the fourth jail building to serve Watauga County and is Boone's only surviving local government building from the nineteenth century. Like many small-town jails of the period, this building was actually a mixed-use space, with both floors of the rear half of the building being used for jail purposes and the front half set aside for the residence of the jailer and his family. The building continued in service as a jail until 1925, when a new jail building was opened behind the 1904 Watauga County

TOWN OF BOONE - HISTORIC RESOURCES SURVEY  
RESOURCES DESCRIPTIONS (PART II, NOVEMBER 2017)



severe wind event lifted the entire roof off of this building in July 2016, requiring its replacement with all new materials. The second building, completed in 1964, fronts on Queen Street at the north end of the parcel and is a U-shaped, two-story building with a large exposed basement. Architectural details are fairly pedestrian, with interior access to the first and second floor apartments and exterior access from the rear to the basement level apartments. The buildings are an excellent example of Boone's shift to higher density apartment complexes as infill in the downtown area during the 1960s.

*East side of North Water Street from West King Street to Queen Street*

**WT0056 Oscar and Suma Hardin House (1926, demolished 2021)—VL**  
136 North Water Street (2900-79-8884-000)

Oscar Hardin and his wife Suma Bogle Little Hardin had this stunning, one and half-story, Colonial Revival residence constructed in 1926. It was the boyhood home of Robert Bogle "Bobby" Hardin (1910-1977), the longtime mayor of Blowing Rock from 1953 to 1971. Defining features of this side-gabled house include a steeply pitched gable over the main (west) elevation entrance; an ornate, Palladian window on the second floor under the pitched gable; a front entrance with a webbed transom window and flanking, full-length sidelights with ornate tracery, a semi-circular porch supported by four Tuscan columns with a balcony above, and stunted, scrolled brackets beneath the eaves. Several reversible changes—including the enclosure of the porte cochere and the north porch, the application of aluminum siding, and the removal of the ornate, pressed tin shingles from the roof—diminished the architectural flare of this property. Nevertheless, it was an important architectural example of late residential construction in what was becoming Boone's downtown commercial district during the 1920s. A one-story outbuilding, originally used as a garage but later converted to an apartment, was located at the rear of the property. Despite a 2020 agreement between the Town of Boone and the Watauga County Commissioners to work cooperatively on a parking deck just outside the proposed district in exchange for preserving this house, the Watauga County Commissioners voted suddenly in December 2020 to demolish the property. Demolition of the house and garage building was completed in January 2021.

*South Side of Queen Street from North Water Street to North Depot Street*

**Parking lot immediately east of WT0056—VL**  
No street address (2900-79-9786-000)

Once part of the yard and the site of at least one outbuilding related to WT0056, this land was converted to a parking lot by the Watauga County government several years ago.

**WT0809 Terrace Apartments (1964)—CH**  
247 Queen Street (2900-89-0611-000)

REPORT AND RECOMMENDATIONS FOR THE DESIGNATION OF THE DOWNTOWN  
BOONE LOCAL HISTORIC DISTRICT  
DRAFT VERSION, APRIL 2021

Boone Historic District Designation Report--80





The Oscar and Suma Hardin House (WT0056) as it appeared in October 2015 (demolished January 2021). Image by Nicole Holladay.

Two other significant residences went up on the west end of town during this same period. The Oscar and Suma Hardin House (WT0056, 1926) was somewhat high style for Boone in its design. Located on the east side of North Water Street a short distance from King Street, the one and a half-story, Colonial Revival, frame building offered numerous luxurious, architectural flourishes, including a steeply pitched gable on the main (west) entrance; an ornate, second-floor, Palladian window under the entrance gable; a front entrance with a webbed transom window and full-length sidelights with ornate tracery; and four Tuscan columns supporting the semi-circular balcony porch over the entrance.<sup>66</sup> The Hardin House, sometimes referred to as the Turner House, was also the boyhood home of Bobby Hardin (1910-1977), Blowing Rock's mayor from 1953 to 1971.

<sup>66</sup> In a sad turn of events, the Watauga County Commissioners purchased this property in 2018, then announced preliminary plans to demolish this building in favor of a surface parking lot in early 2019. See Anna Oakes, "Boone Asks County to Reconsider Building Removal," *Watauga Democrat*, online, January 7, 2019, available at [https://www.wataugademocrat.com/news/boone-asks-county-to-reconsider-building-removal/article\\_14aac748-d039-55c8-9bb3-50f96847a57d.html](https://www.wataugademocrat.com/news/boone-asks-county-to-reconsider-building-removal/article_14aac748-d039-55c8-9bb3-50f96847a57d.html). Despite cooperative plans formed in February 2020 between the county and the Town of Boone to spare the house in exchange for a partnership on a new parking deck less than a block away, the Watauga County Commissioners suddenly voted in December 2020 to demolish the house and its garage. See



**OWNER/APPLICANT:**  
WATAUGA COUNTY  
814 WEST KING STREET, SUITE 205  
BOONE, NC 28607  
(828) 265-8000

**CIVIL ENGINEER:**  
MUNICIPAL ENGINEERING, INC.  
820-B STATE FARM ROAD  
BOONE, NC 28607  
(828) 262-1767

**ARCHITECT:**  
APPALACHIAN ARCHITECTURE, PA  
703 WEST KING STREET, SUITE 201  
BOONE, NC 28607  
(828) 265-2405

**SURVEYOR:**  
APPALACHIAN PROFESSIONAL LAND  
SURVEYORS & CONSULTANTS, PA  
1480 US HWY 421 S  
BOONE, NC 28607  
(828) 264-0290

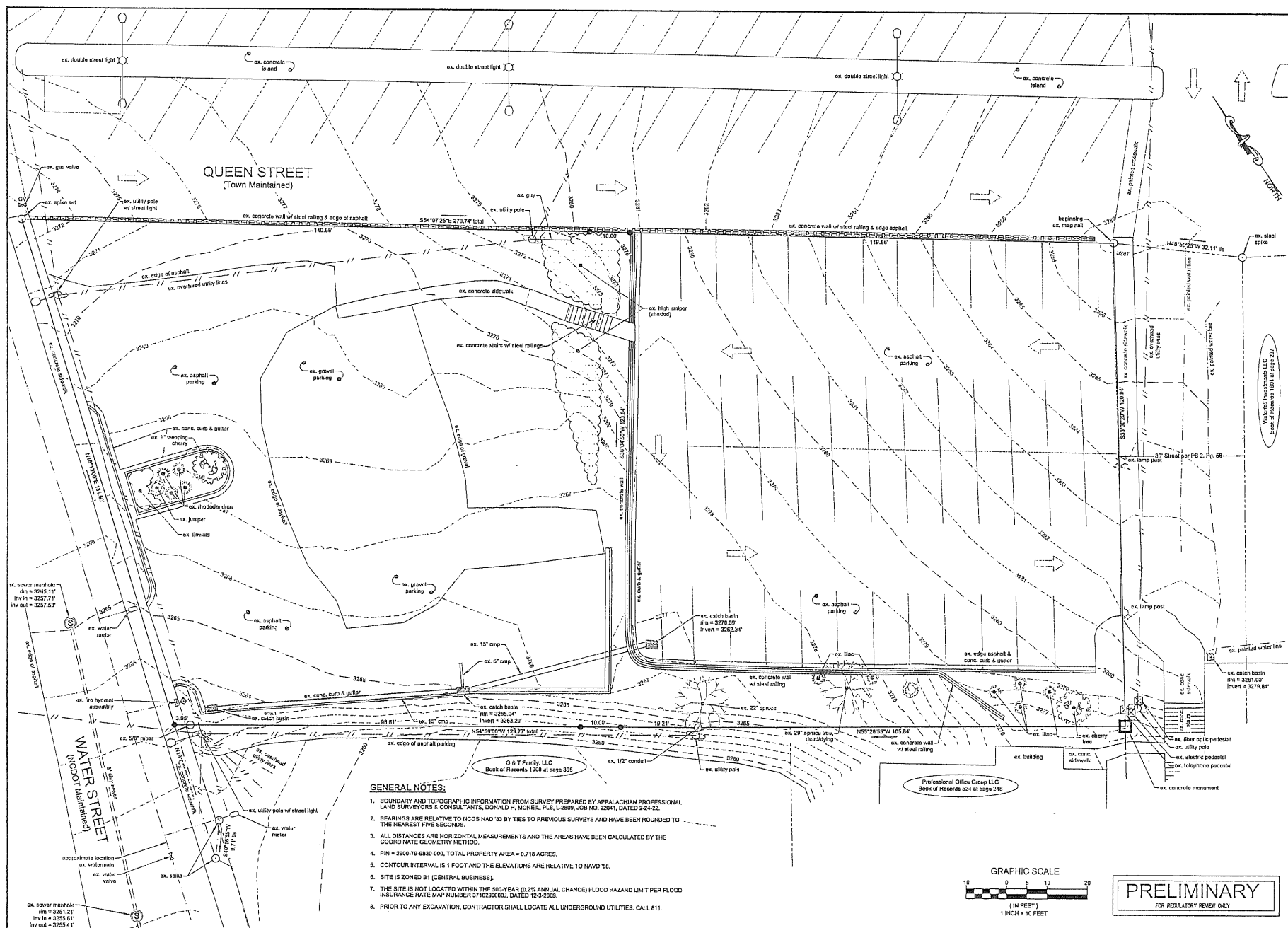
**WATAUGA COUNTY  
WATAUGA C  
WATER S  
BOONE, NORTH**

**PROJECT NO.**

By: \_\_\_\_\_  
Professional Engineer

[illegible]





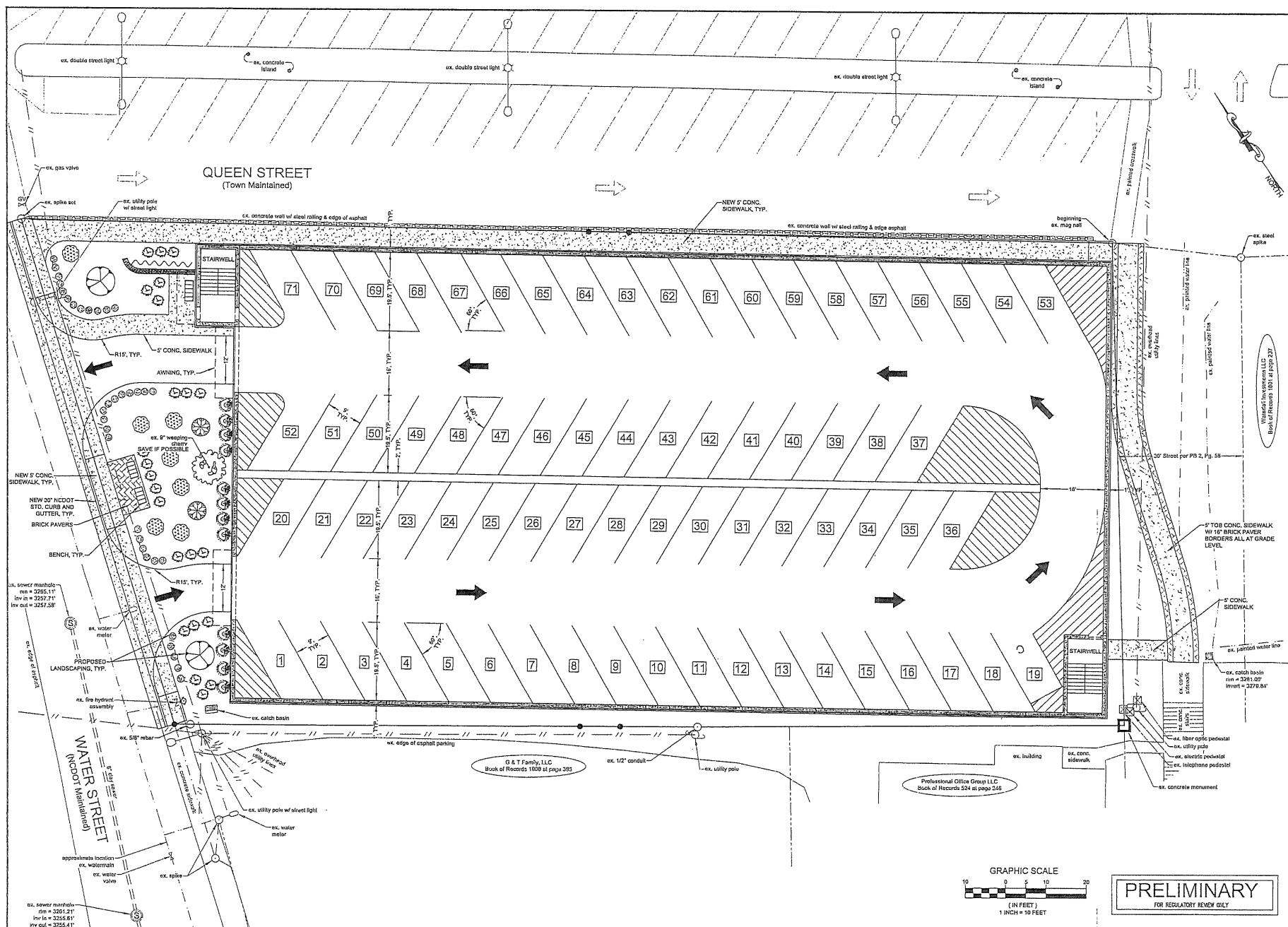
MUNICIPAL ENGINEERING, INC.



WATAUGA COUNTY PARKING DECK  
WATAUGA COUNTY  
WATER STREET

[illegible]

Communication: Z05738-052522 - Exhibit 5 - Site Plans & Elevations (Z05738-052522 Watauga County -



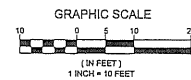
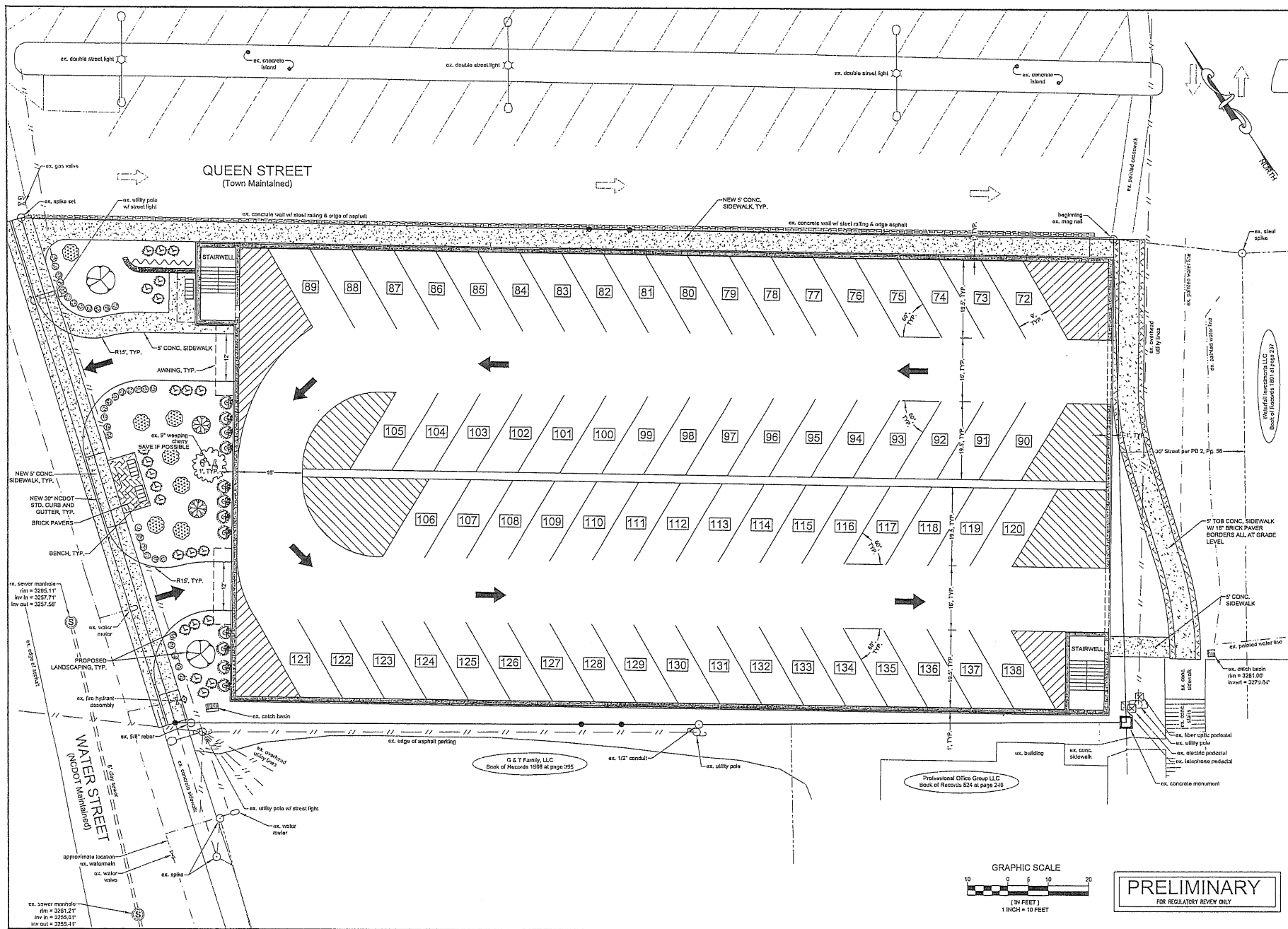
MUNICIPAL ENGINEERING, INC.



WATAUGA COUNTY PARKING DECK  
WATAUGA COUNTY  
WATER STREET

[illegible]

**Communication: Z05738-052522 - Exhibit 5 - Site Plans & Elevations (Z05738-052522 Watauga County -**



**PRELIMINARY**  
FOR REGULATORY REVIEW ONLY

MUNICIPAL ENGINEERING, INC.



WATAUGA COUNTY PARKING DECK  
WATAUGA COUNTY  
WATER STREET

| DATE    | BY                | REV. | DESCRIPTION |
|---------|-------------------|------|-------------|
| 8-25-21 | AS SHOWN          |      |             |
|         | DRWN. BY: SUBJECT |      |             |
|         | CHKD. BY: SUBJECT |      |             |
|         | PROJECT NUMBER    |      |             |
|         | 821030            |      |             |
|         | DRAWING NO.       |      |             |
|         | C-4               |      |             |

SITE PLAN

Communication: Z05738-052522 - Exhibit 5 - Site Plans & Elevations (Z05738-052522 Watauga County -

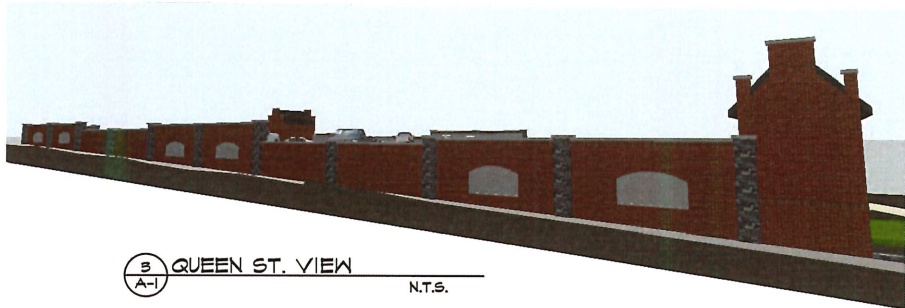




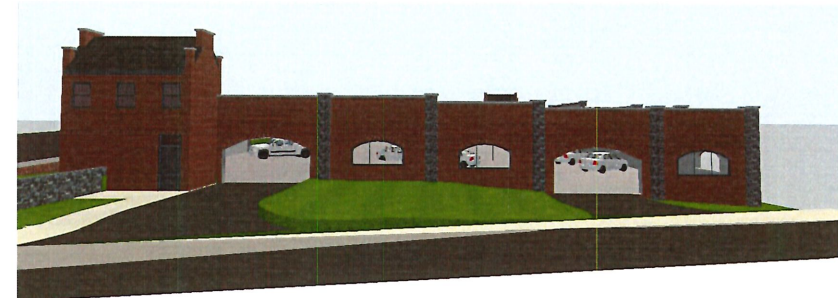
4  
A-1 QUEEN ST. VIEW  
N.T.S.



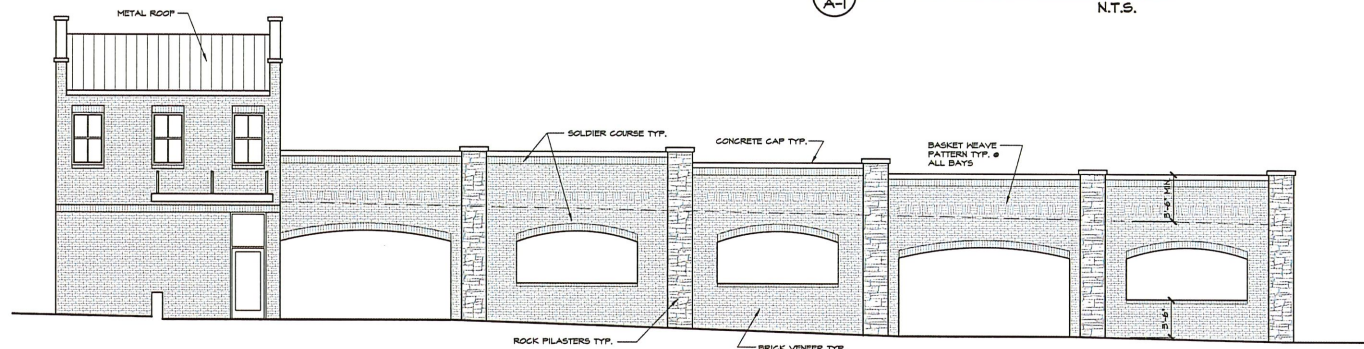
5  
A-1 WATER ST. VIEW  
N.T.S.



3  
A-1 QUEEN ST. VIEW  
N.T.S.



2  
A-1 WATER ST. VIEW  
N.T.S.



1  
A-1 WATER ST. ELEVATION  
(TYPICAL DETAILING) 3/16"=1'-0"



APPALACHIA  
ARCHITECTURE, P.A.

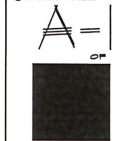
APPALACHIAN  
ARCHITECTURE, P.A.  
BILL DYKOR, OWNER  
708 N. KING ST.  
SUITE 201  
BOONE, NC 28607  
828 268 2409  
FAX: 828 268 2408  
WEB: WWW.APPALACHIAARCH.COM

DATE: 5/25/22

| NO. | REVISIONS | DATE | AREA | BY |
|-----|-----------|------|------|----|
|     |           |      |      |    |
|     |           |      |      |    |
|     |           |      |      |    |
|     |           |      |      |    |

EXTERIOR ELEVATIONS  
WATAUGA COUNTY PARKING GARAGE  
BOONE  
NORTH CAROLINA

● DRAWN BY: LB  
● CHECKED BY:  
● SHEET TITLE







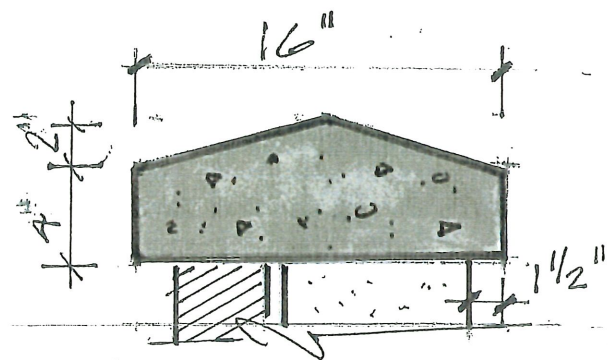
Proposed Parking Deck Exterior materials

May 25th, 2022

**ROCK to match the rock work on the Linney Law Office building,**  
designated as a Local Historic Landmark by the town in 2017.



Proposed Parking Deck Exterior materials  
**METAL ROOFING, WINDOWS,  
DOOR FRAMES, DOORS &  
MISC. METALS - Dark Brown**



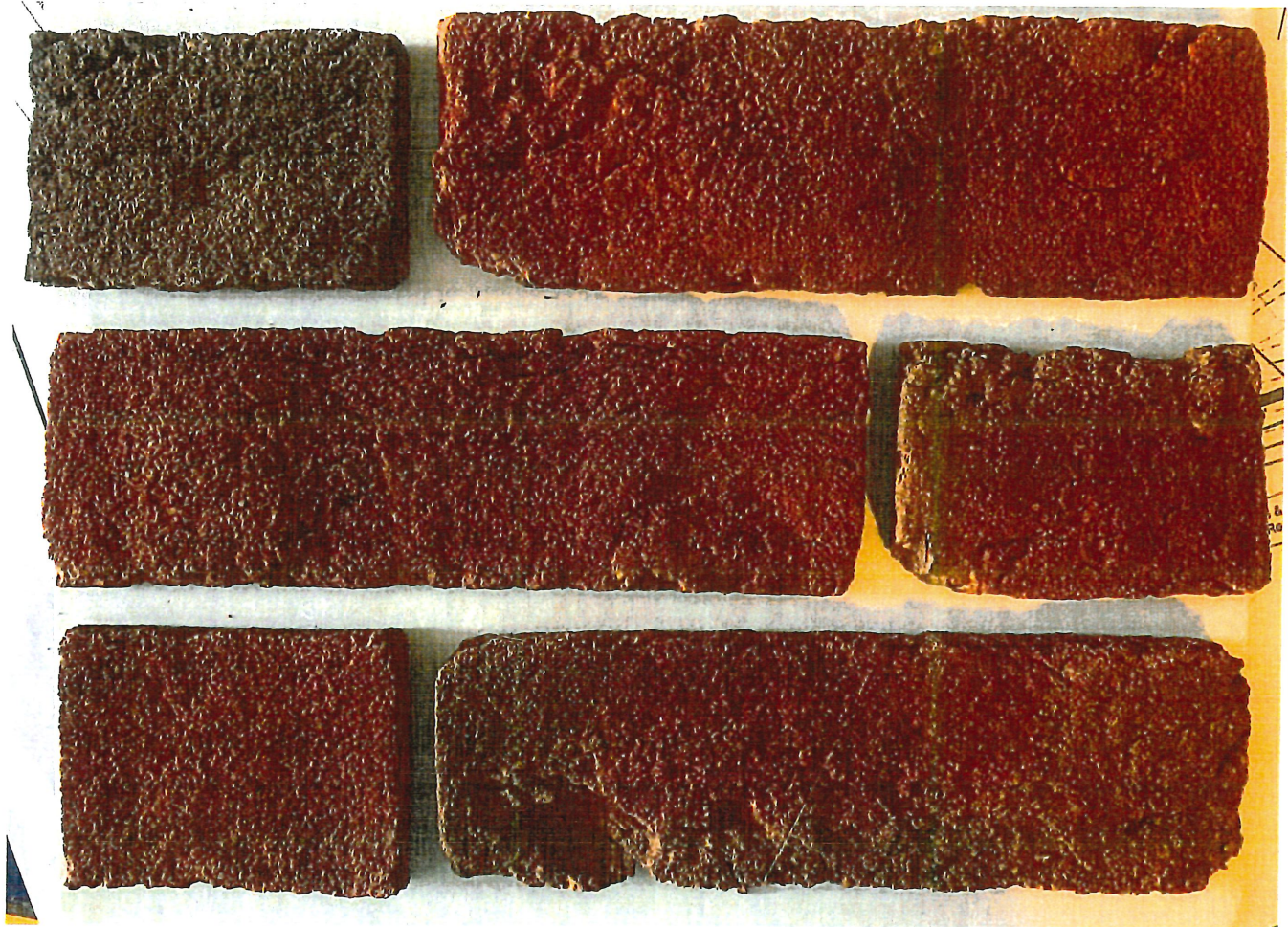
Proposed Parking Deck Exterior materials

**PRECAST CONCRETE  
PARAPET & WALL CAPS—Gray**

www.appalachian.com

Packet Pg. 116





Proposed Parking Deck Exterior materials

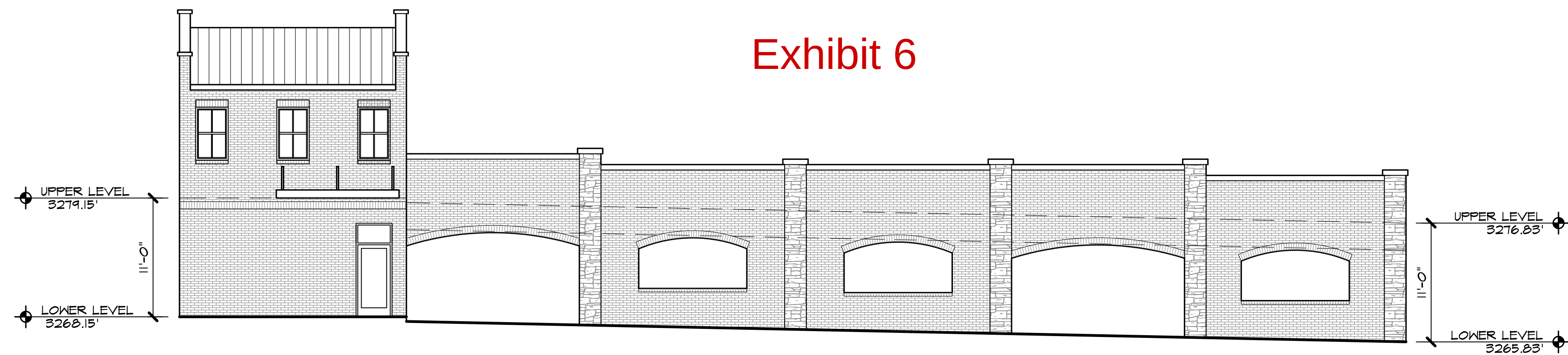
May 25th, 2022

**BRICK – Selected because of resemblance to old handmade brick in form, color & texture**

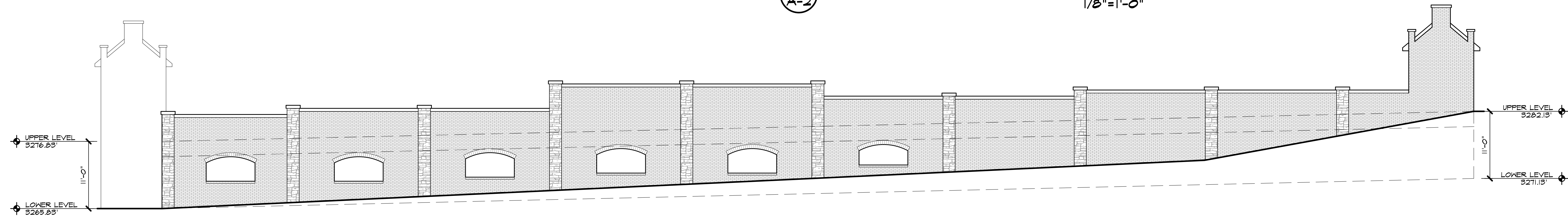
Manufacturer's Information



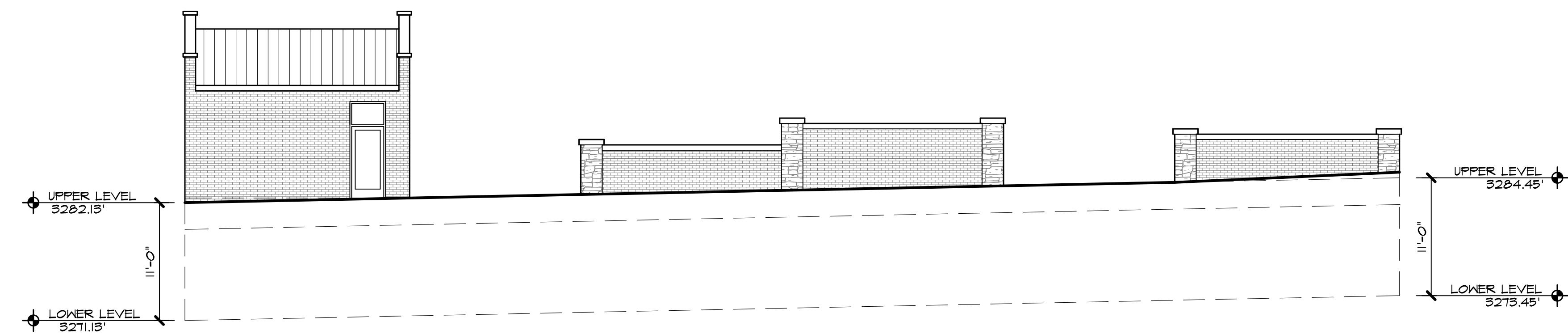
Exhibit 6



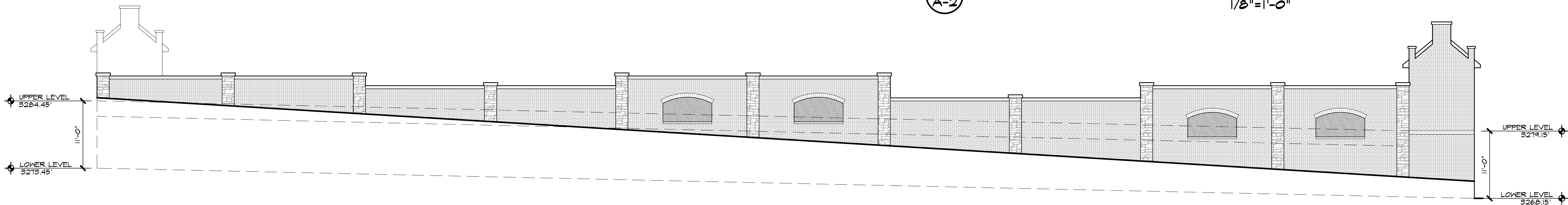
1 WEST ELEVATION (WATER ST.)  
A-2 1/8"=1'-0"



2 SOUTH ELEVATION  
A-2 1/8"=1'-0"



3 EAST ELEVATION  
A-2 1/8"=1'-0"



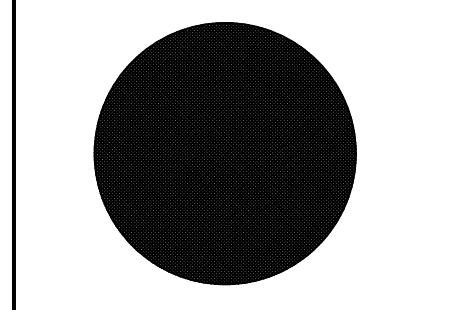
4 NORTH ELEVATION (QUEEN ST.)  
A-2 1/8"=1'-0"



APPALACHIAN  
ARCHITECTURE, PA  
BILL DIXON, NCARB  
703 W. KING ST.  
SUITE 201  
BOONE, NC 28607  
828 265 2405  
FAX: 828 265 2406  
WEBSITE: WWW.APPALARCH.COM

DATE: 6/7/22

| NO. | REVISIONS | DATE | BY |
|-----|-----------|------|----|
|     |           |      |    |
|     |           |      |    |
|     |           |      |    |
|     |           |      |    |
|     |           |      |    |
|     |           |      |    |
|     |           |      |    |
|     |           |      |    |
|     |           |      |    |



EXTERIOR ELEVATIONS  
WATAUGA COUNTY PARKING GARAGE  
BOONE  
NORTH CAROLINA

DRAWN BY: LB  
CHECKED BY:  
SHEET TITLE

A=2  
OF



# APPALACHIAN ARCHITECTURE, P.A.

WILLIAM (BILL) DIXON, JR., AIA, NCARB

June 29, 2022

Ms. Christy Turner, Senior Planner  
Town of Boone Planning and Inspections  
680 West King Street  
Boone NC 28607

Re: Z05738-052522-Watauga County Parking Deck

Dear Ms. Turner:

We received the Towns Planning Department's review letter dated June 24, 2022 and have the following responses:

## Public Works

1. We agree that there needs to be further discussions regarding construction and maintenance of the sidewalk along Queen Street.
2. Traffic Control Plans will be submitted at the appropriate time.
3. We understand that any damage to the Town's existing infrastructure must be repaired.
4. We understand that all lanes and sidewalks must be open during non-working hours.
5. The applicant will coordinate temporary closing of any driveways on neighboring properties.
6. We understand that no parking or material storage is allowed in a public way.
7. We understand the consequences of any violations to the conditions.

## Fire

1. Additional drawings will be provided indicating grade, building elevations and openings. The structure will meet the NC Fire Code.

## NCDOT

1. Please refer to the attached email chain in which DOT has agreed to keep the parking spaces under consideration. We will continue to work with NCDOT so that the project will meet their requirements for access.

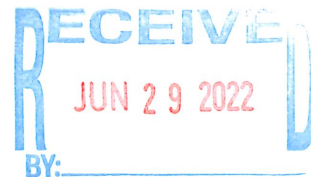
Please call if you have any questions or concerns.

Respectfully,



Bill Dixon, Architect

cc. Deron Geouque, Watauga County Manager  
Chelsea Garrett, Attorney  
Alan Crees, PE, Municipal Engineering





## Bill Dixon

---

**Subject:** Proposed Parking Deck at corner of Water Street and King Street in Boone

**From:** Alan Crees <acrees@mesco.com> **Sent:** Monday, June 27, 2022 1:33 PM  
**To:** Deron.Geouque <Deron.Geouque@watgov.org>; Bill Dixon <bill@appalarch.com>  
**Subject:** Fwd: Fw: [External] Proposed Parking Deck at corner of Water Street and King Street in Boone

Deron and Bill,  
See emails below. It looks like we got the parking issue resolved with NCDOT. Logic prevailed this time.  
Thanks, Alan J. Crees, PE Municipal Engineering, Inc.

**From:** Fisher, H. Carson <hcfisher@ncdot.gov> **Date:** Mon, Jun 27, 2022 at 1:19 PM  
**Subject:** Fw: [External] Proposed Parking Deck at corner of Water Street and King Street in Boone  
**To:** Alan Crees <acrees@mesco.com> **Cc:** Dishman, Ivan H <ihdishman@ncdot.gov>

Ivan - as long as you are good with allowing all parking spaces in the parking deck, I am good with it and I understand the logic. Thanks Alan!

**From:** Dishman, Ivan H <ihdishman@ncdot.gov> **Sent:** Monday, June 27, 2022 8:46 AM  
**To:** Fisher, H. Carson <hcfisher@ncdot.gov>  
**Subject:** RE: [External] Proposed Parking Deck at corner of Water Street and King Street in Boone

I think they make a good point that I hadn't thought about. Traffic in downtown is used to on street parking and having to stop for vehicles that stopped to reverse into parallel parking. We can allow the retention of the 6 parking spaces if you are in agreement.

Ivan Dishman, Division Maintenance Staff Engineer North Carolina Department of Transportation Division 11

**From:** Fisher, H. Carson <hcfisher@ncdot.gov> **Sent:** Friday, June 24, 2022 12:11 PM  
**To:** Dishman, Ivan H <ihdishman@ncdot.gov>  
**Subject:** Fwd: [External] Proposed Parking Deck at corner of Water Street and King Street in Boone

Ivan Alan called me this morning concerning losing 6 parking spaces (3 on each side) going in. See email from Alan. Carson

Communication: Z05738-052522 - Exhibit 7 - Applicant Response to Staff Comments (Z05738-052522 Watauga County - COA)



**From:** Alan Crees <[acrees@mesco.com](mailto:acrees@mesco.com)> **Sent:** Friday, June 24, 2022 12:02 PM  
**To:** Fisher, H. Carson **Cc:** Geouque, Deron T; Bill Dixon  
**Subject:** Re: [External] Proposed Parking Deck at corner of Water Street and King Street in Boone

Hello Carson,

I passed your review comments onto the County and they are strongly opposed to losing any spaces in the parking structure. They need to secure as many spaces as they can for the success of their future operations in the downtown area. We understand that NCDOT's policy is to provide the appropriate stem length so that traffic is not stopped or slowed down on the street. However, we request that you please review the site plan again with your supervisor, considering that the site is located in a downtown area and not a main thoroughfare.

King Street (US Hwy 421), through the middle of town, has on-street parking as well as some of the side streets in the downtown area. Much of the traffic downtown consists of people looking for parking spaces and stop and go traffic is common. We contend that the nature of traffic in the downtown area could allow for the elimination of the usual stem length requirement and therefore, no losses of proposed parking spaces.

Please consider and let us know your thoughts.

Thanks, **Alan J. Crees, PE** Municipal Engineering, Inc.

Communication: Z05738-052522 - Exhibit 7 - Applicant Response to Staff Comments (Z05738-052522 Watauga County - COA)

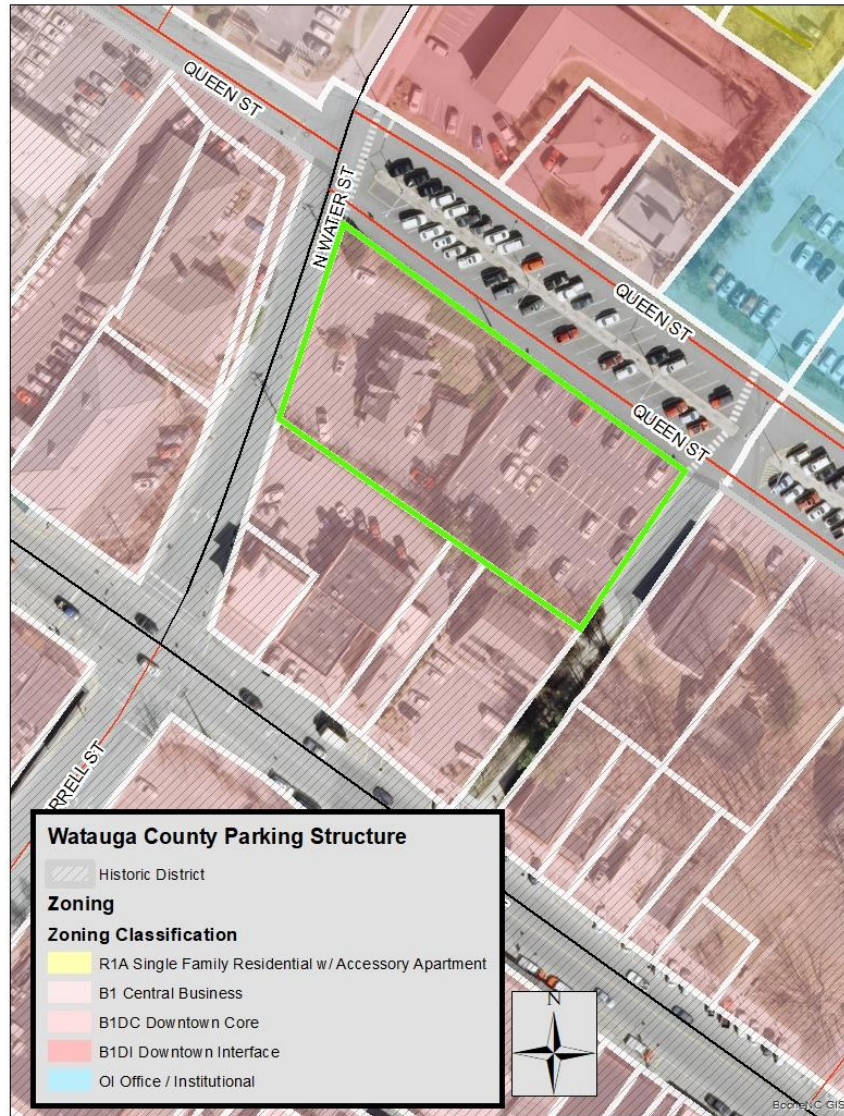


## STAFF REPORT

## HISTORIC PRESERVATION COMMISSION

JULY 12, 2022

CASE Z05730-052322, WATAUGA COUNTY CERTIFICATE OF APPROPRIATENESS FOR MAJOR WORK



## Request

Deron Geouque, County Manager, on behalf of Watauga County, has requested a Certificate of Appropriateness for Major Work (COA) for the proposed new construction of a parking structure on Water Street (Watauga County PIN: 2900-79-9830-000), located in the Downtown Boone Local Historic District.

Pursuant to the Town of Boone Unified Development Ordinance (UDO), Appendix D, Downtown Boone Local Historic District, specifically the section on COA Application for Major Work, a COA is required for new construction of structure in the Downtown Boone Local Historic District.

**Parcel Information**

**Address:** N. Water Street  
**Property Owner:** Watauga County  
**Watauga County PIN:** 2900-79-9830-000  
**Lot size (total):** .72 Acres  
**Jurisdiction:** Town of Boone  
**Access:** N. Water Street (State Maintained)  
**SFHA:** No  
**Watershed District:** No  
**Corridor District:** No  
**NCD:** No  
**Viewshed:** No  
**Steep Slope:** No  
**Transitional Zone:** No  
**Current Zoning:** B1 Downtown Core, Downtown Historic District Overlay

| <b>Zoning &amp; Use of Adjacent Properties</b> |                                                                     |                                                                                                                     |
|------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
|                                                | <b>Adjacent Zoning</b>                                              | <b>Adjacent Land Use</b>                                                                                            |
| North                                          | O/I, Office & Institutional, B1-Conditional, B1, Downtown Interface | Parking Lot, Business or Professional Office, Single Family Dwelling, Business or Professional Office               |
| East                                           | B1. Downtown Core, Downtown Boone Local Historic District           | Multi-Family Dwelling                                                                                               |
| South                                          | B1, Downtown Core, Downtown Boone Local Historic District           | Business or Professional Office, Business or Professional Office, Business of Professional Office, Other Restaurant |
| West                                           | B1, Downtown Core, Downtown Boone Local Historic District           | Government Facility                                                                                                 |

**Zoning Analysis (B1 Downtown Core)**

**Parking Structure Definition:** A structure used for motor vehicle or bicycle parking which is partially or wholly enclosed and includes any above or below-grade decks for temporary, daily or overnight parking.

**Intensity Standards:**

| <b>Required</b>                        | <b>Proposed</b>                 | <b>Compliance</b> |
|----------------------------------------|---------------------------------|-------------------|
| Minimum Gross Land Area: 2,500 sq. ft. | 31,276.08 sq. ft. (0.718 acres) | Yes               |



|                                               |       |     |
|-----------------------------------------------|-------|-----|
| Minimum Building Footprint:<br>50% of the lot | 80.5% | Yes |
|-----------------------------------------------|-------|-----|

**Building Height:**

| Required           | Proposed | Compliance |
|--------------------|----------|------------|
| Maximum Height 33' | 30'      | Yes        |

**Staff Comments:**

- Pursuant to UDO Subsection 14.19.04(F)(5), buildings fronting streets in the B1 Districts, outside of the area governed by Subsection 14.19.03(G)(1) above, are limited to thirty-three feet (33'), as measured from the average elevation of the existing or proposed public sidewalk facing the street to the highest point of the building or structure containing the primary entrance.*
- Pursuant to UDO Subsection 14.14.04(F)(7)(a)(ii), the building height limitations for this building shall not include parapet walls so long as the parapet walls do not exceed 4' above the maximum building height of thirty-three feet (33'). The height of parapet walls above 4' shall be counted toward the building height. The applicant has indicated that the parapet wall does not exceed the minimum height allowed for parapet walls in this zoning district.*
- Pursuant to UDO Subsection 14.19.04(F)(7)(b), the height of a building existing as of April 26, 2018 may not be increased, whether by demolition and rebuilding or reconstruction, renovation, or improvement, unless approved under the Conditional District Zoning Map Amendment process set forth in Article 9 herein. The applicant has agreed that they will apply for a Conditional District Zoning Map Amendment for this project.*

**Building Setbacks:**

| Required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed                           | Compliance |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------|
| Street Setback is to build-to-line<br><br>Pursuant to UDO Subsection 14.19.04(E)(1)(a), the build-to line is the back of the required public sidewalk or the back of the street right-of-way along the primary public way. The building may be set back farther if the area created by an additional setback is designated as plaza space and/or landscaped greenspace that retains the intended connection between the publicly accessible pedestrian realm and ground-level internal portions of the building. | 11.5' (N. Water)<br><br>0' (Queen) | Yes        |
| Interior Setback<br><br>Pursuant to UDO Subsection 14.19.04(E)(2), the interior setback is Interior: 0', except whenever a lot in a B1                                                                                                                                                                                                                                                                                                                                                                           | Southside Boundary:<br>1.5'-5'     | Yes        |

| Required                                                                                                                                                                                               | Proposed                | Compliance |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------|
| Downtown District has a common boundary line with a lot in an adjacent zoning district, the interior setback requirement applicable to the B1 lot shall be the minimum set forth for the adjacent lot. | Eastern Boundary: 0'-4' |            |

### Staff Analysis

#### **Brandon Wise, Environmental Planner**

Landscape plan will be reviewed when the zoning application submittal is received. At that point the plantings to be used would be reviewed to ensure native historically accurate plantings are chosen and placed.

#### **Amy Flieg, Fire Marshall**

Additional information about the grade, structure elevations and openings are needed to determine if this building meets the requirements for fire department access set forth in section 503.1.1 of the NC Fire Code.

#### **Justin Stines, Facilities Maintenance Supervisor**

If sidewalk along Queen Street is constructed as drawn on site plan, a discussion must take place regarding the responsibility of maintenance before project completion.

### Historic District Analysis

The following three documents are central to the Downtown Boone Local Historic District:

1. [Comprehensive Architectural Survey of Downtown Boone, NC – Final Report](#)
2. [Report and Recommendation for the Designation of the Downtown Boone Local Historic District, Boone, NC](#)
3. [Downtown Boone Local Historic District Standards](#)

The designation report (#2 above), was created using the architectural survey of the downtown area (#1 above) and recommended the Downtown Boone Local Historic District area be designated as a historic overlay district; and the Downtown Boone Local Historic District Design Standards, which are outlined in a separate document (#3 above), are to be applied by the HPC when it considers applications for Certificates of Appropriateness for proposed development within the historic district.

#### **INVENTORY CLASSIFICATION**

The following information has been taken from the designation report starting on page 69. The property inventory found within the report was specifically written to assess the contributing significance and integrity of the district's resources. Integrity, as determined was based upon the following:

1. design integrity, meaning the building's relationship to its original appearance or altered appearance during the period of significance;

2. material integrity, meaning the building's relationship to original materials during the period of significance or replacement materials that mimic the appearance of original materials during the period of significance;
3. locational integrity, meaning the building's relationship to its original location during the period of significance;
4. integrity of association, meaning the building's relationship to its original or adapted use, function, and purpose during the period of significance; and
5. integrity of relationship to the district as a whole, meaning the building's historical importance to the development of downtown Boone's commercial district during the district's four periods of growth within the period of significance (1918-1964).

This ratio of parcels with contributing resources to the overall number of parcels in the district represents an unusually dense and rich collection of commercial, institutional, and residential buildings and/or structures with excellent to outstanding integrity as defined by the above criteria, thus illustrating the special significance of the district to the town of Boone in terms of its history and architecture. Taken together, these resources help to tell the story of the development of downtown Boone's commercial district through its four periods of growth within the period of significance. For these reasons, the district possesses outstanding integrity as a whole, which can only be improved as owners of individual resources continue to rehabilitate their properties and storefront configurations to their historic appearance.

#### **Inventory Classifications:**

**CA:** Contributes to the character of the district based on architectural significance

**CH:** Contributes to the character of the district based on historical significance related to events or individuals associated with the property

**NC:** Non-contributing property

**VL:** Vacant lot



DESIGNATION REPORT/ARCHITECTURAL SURVEY PROPERTYSUMMARY

The Designation Report summary is included on the right, and the full Architectural Survey summary is included below. The subject property is classified as “VL” meaning the property is a vacant lot.

**WT0056 Oscar and Suma Hardin House (1926, demolished January 2021)**

**136 North Water Street**

Originally built as a residence, this one and a half-story, Colonial Revival frame building was first surveyed in 1988 and again in 2002. The house has served in recent years as a law office, first for Judge Philip Ginn, then later as the Turner Law Office. Past surveys have reported that the house was built in 1927 in error. In fact, ground was broken for construction of the house in September 1925 (Watauga Democrat, September 17, 1925), with work completed on the house in June 1926 (Watauga Democrat, June 24, 1926).

Defining features of this side-gabled house include a steeply pitched gable over the main (west) elevation entrance, an ornate, second-floor, Palladian window under this entrance gable, a front entrance that has a webbed transom window and is flanked by full-length sidelights with ornate tracery, four Tuscan columns on the porch that support the semi-circular balcony above this entrance, and stunted, scrolled brackets beneath the eaves. All of these elements still survive. Indeed, the home displays an unusually high style of architecture among the domestic properties located within Boone’s downtown area.

Oscar Hardin (1883-1927) was the grandson of Henry Hardin, a prominent and significant early Boone citizen. Oscar Hardin was engaged in business for many years at Hickory and Johnson City before returning to Boone to serve as a partner in the Henry J. Hardin & Co. firm at Boone, which was located at the old Blackburn Store site opposite the courthouse. He was also a leader in the Boone Methodist Church, serving on the church’s board of stewards. Suma Bogle Little Hardin (1888-1931) was the daughter of Dr. H. McDuffie Little, a prominent Boone physician and a wealthy and significant landowner of property along the Boone side of Rich Mountain. She played a lead role in numerous civic ventures, including the Friday Afternoon Club and

**WT0056 Oscar and Suma Hardin House (1926, demolished 2021)—VL**

**136 North Water Street (2900-79-8884-000)**

*Oscar Hardin and his wife Suma Bogle Little Hardin had this stunning, one and half-story, Colonial Revival residence constructed in 1926. It was the boyhood home of Robert Bogle “Bobby” Hardin (1910-1977), the longtime mayor of Blowing Rock from 1953 to 1971. Defining features of this side-gabled house include a steeply pitched gable over the main (west) elevation entrance; an ornate, Palladian window on the second floor under the pitched gable; a front entrance with a webbed transom window and flanking, full-length sidelights with ornate tracery, a semi-circular porch supported by four Tuscan columns with a balcony above, and stunted, scrolled brackets beneath the eaves. Several reversible changes—including the enclosure of the porte cochere and the north porch, the application of aluminum siding, and the removal of the ornate, pressed tin shingles from the roof—diminished the architectural flare of this property. Nevertheless, it was an important architectural example of late residential construction in what was becoming Boone’s downtown commercial district during the 1920s. A one-story outbuilding, originally used as a garage but later converted to an apartment, was located at the rear of the property. Despite a 2020 agreement between the Town of Boone and the Watauga County Commissioners to work cooperatively on a parking deck just outside the proposed district in exchange for preserving this house, the Watauga County Commissioners voted suddenly in December 2020 to demolish the property. Demolition of the house and garage building was complete in January 2021.*

*South Side of Queen Street from North Water Street to North Depot Street*

**Parking lot immediately east of WT0056—VL**  
**No street address (2900-79-9786-000)**

*Once part of the yard and the site of at least one outbuilding related to WT0056, this land was converted to a parking lot by the Watauga County government several years ago.*

Communication: Z05738-052522 - Exhibit 8 - Staff Report (Z05738-052522 Watauga County - COA)

the Entre Nous Club. This house was also the boyhood home of Oscar and Suma Hardin's son, Robert Bogle "Bobby" Hardin (1910-1977), the longtime mayor of Blowing Rock from 1953 to 1971. Following Oscar Hardin's and Suma Hardin's untimely deaths, the home changed hands a couple of times before Walter and Clara Brown eventually purchased the home and resided there from 1952 into the early 1990s. Walter Brown was the postmaster of Todd, North Carolina, and his wife Clara was a teacher in Ashe County.

Judge Ginn made attempts in 1996 and 1997 to secure rehabilitation advice and Study List listing from the North Carolina Department of Cultural Resources, with a view toward obtaining rehabilitation tax credits and National Register listing. Unfortunately, North Carolina's National Register Advisory Council responded to Judge Ginn's Study List application by declining to Study List the property. The NRAC cited several areas of concern as the basis for their decision—the application of aluminum siding, enclosure of the porte cochere, shortening of a chimney stack, and "disturbance of the surrounding yard."

Unfortunately, additional alterations have occurred since 2002. The north porch described in the 1997 Study List Application has since been filled in and dramatically altered to a one-story addition with a flat roof, prominent cornice treatment, rows of six-over-six, double-hung sash windows on the west, north, and east elevations, and board and batten siding that is not appropriate to the Colonial Revival style. In addition, the two large Norwegian pines have been removed from the property for reasons that are unclear. Perhaps most distressing, the ornate, pressed tin shingles have been removed entirely from the house since 2002 and replaced with asphalt shingles.

A one-story outbuilding, with a low-pitch, side-gabled roof survives at the rear of the property. This building is likely original to the property, as it appears on the 1928 Sanborn Map of Boone, where it was labeled as a garage. It has since been converted to either an apartment or a light office use.

In early 2019, following their purchase of the property, the Watauga County Commissioners scheduled the house for demolition so that a parking garage could be built on the site. Following outcry from the Boone Historic Preservation Commission, the Boone Town Council, and many Boone residents, the Watauga County Commissioners briefly worked with the Town of Boone to determine appropriate solutions that will allow for the preservation of the house while achieving parking solutions elsewhere in downtown Boone. By December 2019, however, the county abandoned these pursuits, secured a demolition permit, and scheduled the house for surplus in April 2020. Despite a 2020 agreement between the Town of Boone and the Watauga County Commissioners to work cooperatively on a parking deck just outside the proposed district in exchange for preserving this house, the Watauga County Commissioners voted suddenly in December 2020 to demolish the property. Demolition of the house and garage building was completed in January 2021.

DESIGN STANDARDS

Applicable design standards from the Downtown Boone Local Historic District Design Standards and Handbook, UDO Appendix D, are included below.

***Commercial Properties Within the District, Standards for Commercial Properties within the District***

...

***Roofs, [Design Standards p. 85-88]***

Among the most significant and important of the distinguishing characteristics of historic properties are the roof form and pitch, which are often essential to identifying the architectural style of a building. For this reason, it is imperative that every effort be made to preserve and maintain the original roof configuration and materials on historic properties, including dormers, turrets, balustrades, parapets, etc. While historic roofing materials should always be preserved whenever possible—especially if they consist of specialty roofing materials such as slate or tile—many roofing elements will require replacement due to deterioration and age. Many of the commercial buildings in the District originally featured flat or gently sloping roofs behind a parapet wall along the primary elevation and sometimes the secondary elevations.

...

- 7.3** Dormers and gables should never be added to the primary and secondary elevations visible from the street (unless replacing an historic element that Downtown Boone Local Historic District Design Standards--84 had been previously removed) and should be added to tertiary elevations only when it can be shown that they are appropriate for the building style. The addition of dormers to commercial block buildings is especially inappropriate and should be avoided on all occasions and reversed in cases where this change has already been made. Skylights, solar panels, power ventilators, and mechanical equipment should always be restricted to the tertiary portions of the roof or areas behind parapet walls and hidden from the street. Screening materials should never be erected on top of a roof to obscure such elements.

...

- 7.5** Tar or roofing cement should never be used as a substitute for properly installed flashing. In most instances, metal flashing is always preferred over asphalt shingle weaving, particularly in valley flashing situations.

...

- 7.7** Historically appropriate metal gutters, downspouts, and other drainage devices are common on historic properties and should always be retained whenever possible, as they provide important protection for both the roof and the foundation of the property. Built-in gutters that are an important part of the architecture of the building should always be repaired rather than replaced if they become deteriorated. When metal finishes must be replaced because of rust or other deterioration, replace ONLY deteriorated material or detail with new materials that match the previously existing historic material in composition, size, shape, texture, pattern, color, and detail. Replacement gutters and downspouts should never conceal or interfere with architectural trim details. It is not appropriate to paint metal finishes, such as metal downspouts or copper trim, if these items were historically unpainted.



- 7.8 Flashing materials should blend in color with the roof or chimney color. Whenever possible, historically appropriate splash blocks at the base of downspouts should be used to direct water away from the building's foundation. (Please note that the Town of Boone's storm water detention requirements may apply to the use of splash blocks.)
- 7.9 Roof coping on commercial buildings with original flat roofs was typically made of terracotta tile. Modern coping systems that are often used in conjunction with rubber membrane roofs, especially if they employ metal Downtown Boone Local Historic District Design Standards--88 coping in a color that contrasts with the masonry walls they cover, are inappropriate.

***New Construction of Commercial Buildings within the District, [Design Standards p. 97-99]***

It is inevitable that new commercial buildings will be constructed within the District. The intention of these design standards is not to prevent such changes but to ensure that new construction is compatible with and complementary to the integrity and architectural character of the District. While new commercial buildings should not attempt to replicate existing historic properties, they should mesh with and support the historic design principles of the other commercial properties in the District. These standards are intended to preserve the integrity of the District while also encouraging sensitive and appropriate new construction.

- 14.1 New commercial construction within the District should not seek to duplicate historic buildings in the District or mimic their appearance. That said, new construction should strive to be sensitive to and compatible with the character-defining features of the commercial properties in the District. Thus, new construction should employ architectural design that reflects its current time, place, use, and culture, provided that this design is compatible with the character of the District.
- 14.2 New construction should incorporate the predominant historic materials typical in surrounding historic buildings when possible—usually brick, native stone, structural glass, wooden trim, and similar historic materials. Synthetic, non-traditional materials, such as vinyl, synthetic stone, fiber cement board, aluminum, plywood, parging, and pre-formed concrete panels, are not permitted in new construction. It is NOT appropriate in new construction to use contemporary substitute materials in place of traditional materials. The use of the highest-quality, historically appropriate, exterior facing materials is encouraged.
- 14.3 Design, height, massing, and proportions of new buildings should complement and be compatible with the dimensions of neighboring buildings with similar character and style. New buildings should not overpower adjacent buildings or the District as a whole as a result of out of-scale massing, footprint, height, or overhang. Roofs, fenestration, and materials should be compatible with surrounding buildings. Traditional separations between storefronts and upper facades should be maintained and consistent with those existing in adjacent or nearby buildings. Vertical divisions maintain the feeling of traditional building widths and should be maintained. New buildings generally should align with adjacent buildings facing on the same street and conform to existing setbacks from the street. The primary façade and main building entry shall face the primary public way.
- 14.4 Combining lots for the purpose of building a single building across multiple lots is not permitted in the District, as it disrupts the historical town planning system and does not align with the massing and scale of the District's historic building patterns.

*Staff Comment: The preceding text in 14.4 may have been expected to be relevant to the case, however this text has been scheduled to be deleted in Case PL05826-062722 UDO Appendix D Modifications scheduled to be heard at the July 25, 2022 public hearing and is expected to be removed before the disposition of this case is decided.*

- 14.5** The appropriateness of the site for a new commercial construction project will be evaluated based upon its compatibility with the district context in terms of setback, spacing, orientation, topography, height, and landscaping. New buildings should have setbacks, orientation, lot coverage, and spacing that align with existing historic properties and comply with the provisions of the Town UDO.

*Staff Comment: The applicant has met the UDO standards for the project which is included in the Zoning Analysis above.*

- 14.6** New construction should respect the existing topography and vegetation on the site. Large-scale grading to level or otherwise dramatically alter the natural slope of a lot is destructive to the historic landscape and is not appropriate. Whenever possible, existing trees and historic landscape features should be incorporated into the design for a new property. If large trees must be removed, they should be replaced with trees similar in type and species. During construction, any mature tree that will not be removed should be protected with appropriate fencing around the tree's canopy area that will eliminate construction parking, material storage, and concrete washout that could harm the mature tree.
- 14.7** The appropriateness of a proposed new commercial building will be evaluated based on compatibility in terms of scale, height, form, massing, materials, openings, roof pitch, roof type, and other details with the District context.
- 14.8** New commercial construction should incorporate architectural elements and details into new construction that provide human scale. Do not add fanciful decorative elements and colors that are out of place or not in keeping with the historic context of the District and/or adjacent historic properties.
- 14.9** Oversized and monumental scale architecture is not appropriate, and the overall height and width of the new buildings should be compatible with neighboring structures and Town UDO requirements.

*Staff Comment: The applicant is meeting all UDO, Subsection 14.19.04(5) requirements in relation to height and setback requirements for the district.*

- 14.10** Historically, most of Boone's downtown commercial buildings had flat roofs. Residential roof types are not permitted in new commercial buildings. Roof planes should be hidden from view on the façade, and rooflines should be decorated using historic decorative details, using historic photographs and/or neighboring buildings as a guide. Walls should not appear to terminate at flat roofs, except along the tertiary elevation. Instead, flat roofs should be concealed from view by using historically appropriate pitched roof features, parapets, or a mixture thereof. Where only one elevation has this condition, the parapet or other feature will continue four feet along the adjacent elevation. The minimum slope for pitched roofs is four feet vertically to every twelve feet horizontally. Where a parapet intersects with a pitched roof element, there shall be no apparent breaks in the parapet wall.

*Staff Comment: The applicant is meeting the standards found in UDO Subsection 14.19.04(7)(a)(ii) in relation to the building height limitation shall not included parapet walls so long as the parapet walls do not exceed 4' about the maximum building height of thirty-three feet (33').*

***Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District******1. Streetscapes, [Design Standards p. 102-104]***

In contrast to the natural elements around which communities are often organized, historic streetscapes instead represent the built environment that defines the character, context, and components around which a community grows and evolves. Typically, buildings are the most obvious and dominant streetscape features, but this type of landscape includes other elements, including the spaces between buildings, private yards, alleyways and streets, sidewalks and other pedestrian elements, lighting, fences, public benches, retaining walls, monuments, public art, and street signage.

With regard to all streetscapes in the District, the following standards should be observed:

- 1.1** The form, scale, and massing of building facades located along public ways should be preserved.
- 1.2** The width, alignment, and configuration of streets, alleys, sidewalks, and walkways within the District should be retained and preserved.
- 1.3** The intended sightlines and views of historic public monuments and public art should be maintained.
- ...
- 1.5** When installing new street and building lighting, select fixtures that complement the height and character of existing streetscape features and surrounding architecture, and that align with the historic context of the properties in question. Employ the minimal street lighting levels required for public safety while striving to eliminate light pollution. Whenever possible, lighting should be directed toward the ground, away from surrounding properties, and be shielded from direct view.
- 1.6** All historic streetscape elements between buildings—most particularly road width, grade, crown, swale, curbing, sidewalks, lawns, tree plantings, and setbacks—should be preserved and maintained.
- 1.7** Shared and public open spaces visible from public ways created by private yards, natural settings, and building setbacks should be preserved and maintained.
- 1.8** Historic traffic circulation patterns along sidewalks and roadways, including dual or one-way designations, should be preserved and maintained whenever possible.
- 1.9** Existing historic property lines, block patterns, setbacks, and other land divisions—both natural and created—should be maintained.
- 1.10** When necessary, prune or remove and replace trees that threaten public safety, utilities, or property. When considering new plantings near existing utilities, select historically appropriate, native species that will not interfere with the utility when they reach mature height.



- 1.11** Historic Street paving and sidewalk materials, as well as historic curbing, should be retained and preserved, using salvaged or historically compatible materials when repairs are necessary. If historic materials cannot be found, substitute materials may be used, provided they replicate the durability, color, texture, and appearance of the original historic materials.

...

- 1.13** New paving and sidewalk materials, especially new accessibility features, should be designed to be consistent with the character and appearance of historic paving materials.

- 1.14** Because historic streetscapes often did not account for the high volume of automobile traffic found today in Boone, parking areas are often a challenge. New parking areas should be as unobtrusive as possible, located behind buildings with access from alleyways and secondary streets rather than along main thoroughfares, and screened with historically appropriate natural plantings and/or fences. Parking decks should be built to complement and blend with the existing historic architecture. Generally speaking, new parking areas should be built on the periphery of the District so as not to impede historic traffic patterns or conflict with historic landscapes and streetscapes.

...

#### **4. Fences and Garden Walls, [Design Standards p. 108-109]**

- 4.1** To ensure that landscape materials do not constitute a traffic hazard, a sight triangle ten (10) feet by seventy (70) feet will be observed at all intersections of driveways/streets with adjacent streets. Required street trees shall be planted outside of the sight triangle area. Shrubs planted within sight distance triangles shall be of a type with a maximum mature height of twenty-four (24) inches. For detailed descriptions of screening regulations, see the Town of Boone UDO.

...

- 4.8** Use walls and hedgerows in the District to screen parking lots. A masonry wall or single species evergreen hedge will maintain the sense of an “edge” to the streetscape in a similar manner as a building. The peripheral screen will also hide wheels, bumpers, and paving, thereby eliminating the undesirable aspects of the automobile while at the same time not jeopardizing safety.

...

#### **6. Driveways and Off-Street Parking**

...

- 6.2** Construct new driveways to conform to the configuration, width, location, and materials of existing driveways.
- 6.3** Locate new driveways and off-street parking areas in tertiary areas. If this is not possible, driveways should be placed in the least conspicuous area of the lot.

- 6.4** Discourage additional curb-cuts, new driveways, or drive-throughs in the District.
- 6.5** It is inappropriate to pave large, off-street parking areas that occupy the majority (more than 50%) of the rear yard so that the residential character of a residential property is severely compromised or lost.
- 6.6** It is inappropriate to demolish historic buildings or outbuildings to create new parking areas.
- 6.7** It is inappropriate to destroy mature plantings to create new parking areas.  
Incorporate said plantings into the design and provide for their protection.
- 6.8** Incorporate trees, shrubbery, fencing, or other landscape devices around the periphery and within parking areas.
- 6.9** Utilize a low evergreen hedge or masonry wall, not to exceed 36" in height, along the street frontage of all parking lots. This landscape element will screen automobile wheels, bumpers, and paving, thereby eliminating the harshest aspects of the automobile without compromising surveillance and safety.
- 6.10** Discourage parking lots on corners, as this creates large voids in the streetscape.
- 6.11** Follow the standards for exterior lighting in illuminating parking areas.
- 6.12** Design lighting levels for safety. Avoid spilling light onto adjacent properties.

## **7. Exterior Lighting**

- 7.1** Select lighting that is compatible with the building, site, height and character of existing streetscape features, and the surrounding architecture, and that aligns with the historic context of the property in question, in terms of design, materials, use, size, scale, location, and level and angle of illumination.
- 7.2** Avoid placing fixtures in areas that will obscure or damage character-defining architectural or landscape features.
- ...
- 7.4** Employ minimal lighting levels required for public safety while striving to eliminate light pollution. Whenever possible, lighting should be directed toward the ground, away from surrounding properties, and be shielded from direct view.
- 7.5** Locate lighting sources in strategic locations on the building or landscape to create a subtle and inviting ambience.
- ...
- 7.7** All public streets, sidewalks, and other common areas shall be sufficiently illuminated to ensure the security of property and the safety of persons using streets, sidewalks, and other common areas or facilities.

- 7.8** All entrances and exits in substantial buildings used for nonresidential purposes and in two-family or multifamily developments containing more than four (4) dwelling units shall be adequately lighted to ensure the safety of persons and the security of the buildings.
- 7.9** Lighting within any lot that unnecessarily illuminates any other lot and substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if it clearly exceeds the standards set forth in the Town of Boone UDO.
- 7.10** Screen from view ground-mounted accent or spotlights. Such lights should not highlight non-target structures, signs, or premises.

## CONFORMITY TO ADOPTED PLANS

### COMPREHENSIVE PLAN UPDATE

#### **1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):**

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

**Economic Development:** Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

**Community Appearance and Community Character:** Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

**Open Space:** Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

**Environmental Quality:** Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

**Trees:** Conserve existing trees and plant new trees, especially hardwoods.

**Automobile Transportation:** Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

**Bikeways:** Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

**Mass Transit:** Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

#### **Pedestrian**

**Movement:** Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

**Infrastructure:** Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.



**Public Safety:** Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

**Energy and Waste:** Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

**University:** Emphasize cooperative planning among the Town, County, and University.

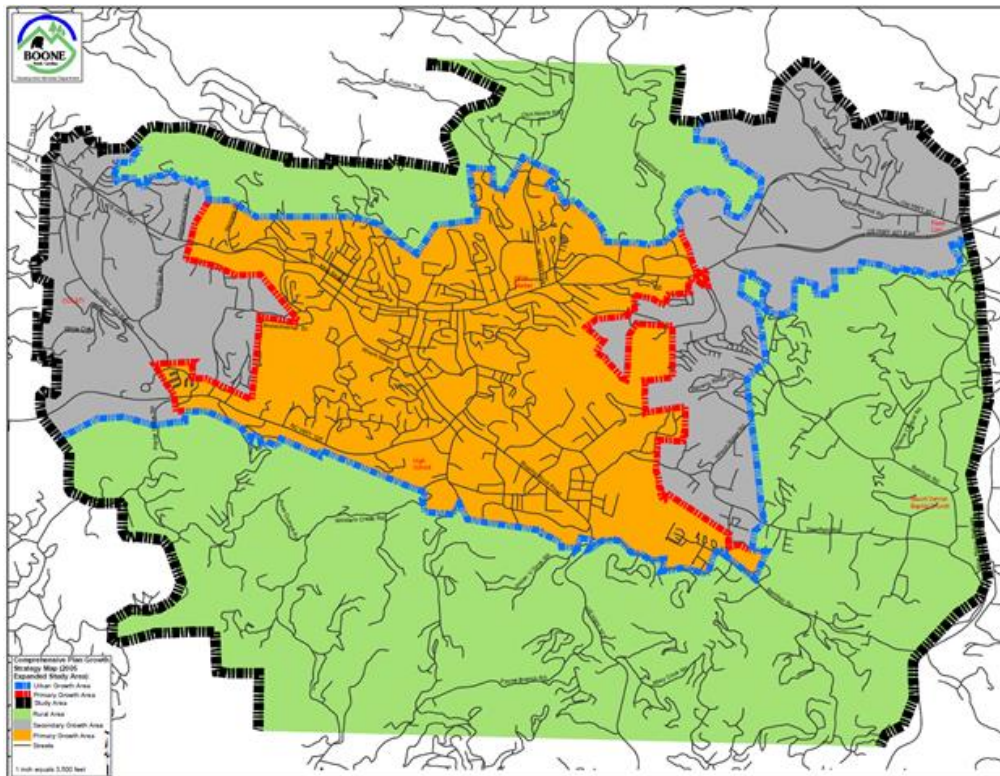
**Downtown:** Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

**Recreation:** Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

**Neighborhoods:** Ensure the livability of neighborhoods, especially through land use and traffic planning.

**Public Involvement:** Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

**1.2 Growth Strategy Map (p. 17):** This development is located within the Primary Growth Area as shown on the Growth Strategy Map. The Primary Growth Area is that portion of the urban growth area where urban levels of facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged. See Growth Strategy Map below:



## 2.0 Policies for Growth and Development (P. 18-77)

Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Board should review these policies carefully. Each member

may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

## **2.1 THE ECONOMY (p. 19)**

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long-term component of an economic development strategy.
- B. New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.
- C. The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.
- G. The Town shall support the development of new business parks.
- H. The Town shall promote coordination of economic development resources with the appropriate institutions and agencies. Regional coordination and interaction among areas with a shared economic interest shall be encouraged.
- I. Small business start-ups, expansions and spin-offs shall be encouraged. The presence of ASU and Caldwell Community College and Technical Institute shall be recognized as a necessary and important resource for area businesses.
- J. Appropriate educational and training programs shall be encouraged to help local residents, especially those unemployed and underemployed, take advantage of business expansion and to develop new skills.
- K. Boone shall identify and provide services consistent with the needs of the area's growing retiree population.

### **2.1.5 Downtown**

- A. A compatible design character for the downtown area, drawing upon the locality's original High-Country small-town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.
- B. The Town, in concert with the downtown property owners and merchants, shall encourage public and private efforts to develop and publicize adequate and appropriately designed off-street parking lots in the downtown area.
- C. A variety of mutually compatible and supportive mixed uses shall be encouraged in the downtown area.

- D. Public and private developments shall be encouraged to incorporate local artistry into public and semi-public spaces downtown.
- E. Public and private development decisions in the downtown area shall exhibit a special concern for maintaining the intensive, pedestrian oriented character of the district.
- F. The maintenance and revitalization of downtown Boone, as well as planning for its future development, will reflect the realities and qualities befitting its geographical setting and function as a center of (1) commercial and service activities, (2) educational and cultural activities, events and (3) public services.

### **2.3 THE COMMUNITY (p. 60).**

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.
- C. Funding for outside agencies and organizations serving the citizens of Boone shall continue to receive support consistent with area service needs and Town budget constraints.
- D. Coordinated inter-governmental and university-town planning for urban area land use and development, transportation, utilities, recycling, environmental management, law enforcement, education, recreation, tourism and economic development shall be encouraged.

#### **2.3.2 Community Character (p. 67)**

- A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.
- B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
- C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
- D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High-Country small town.

#### **2.3.4 Public Involvement**

- A. Public involvement shall be encouraged in decisions concerning land use and development by making the public aware of proposed developments at the earliest opportunity, as well as fostering communication among developers, the Town, the County, the University, and the general public. \*\*\*\*
- B. Neighborhood and special area planning shall be encouraged to foster public involvement in the production of closely tailored, action oriented special area plans and programs.



- C. Specific functional plans and implementation tools shall be supported as part of the comprehensive planning program for the Town and County.
- D. Special committees, advisory panels, educational forums, public workshops, leadership seminars, town meetings and media contacts shall be encouraged and fostered to enhance the effectiveness of citizen involvement in community planning and action.

### Conditions of Approval

The following conditions are automatically included and a part of any approval.

- Where there is a conflict between the application information (May 25, 2022), and the plans (May 25, 2022), the plans control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
- Any commitments and representations concerning the proposed exterior modification made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
- The applicant shall submit the necessary applications, plans, details and specifications which meet the requirements of the Town Code, UDO, Building Code and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

The Commission may issue approval subject to reasonable conditions necessary to carry out the purposes served by the historic district (see G.S. 160D-940, 160D-947(a)):

1. Condition (as warranted) ...

### Historic Preservation Commission Procedure

#### Congruity with the historic district

The question before the Historic Preservation Commission is whether or not the proposed exterior modification is incongruous (i.e., not in agreement, not in harmony) with the special character of the historic district. If the proposed exterior modification is not incongruous, the Commission shall issue the requested COA. If the proposed exterior modification is incongruous with the special character of the historic district, the Commission shall deny the requested COA. The Commission shall approve or the deny the COA by majority vote.

The Commission may issue a COA subject to reasonable conditions necessary to carry out the purposes of the historic district. In this connection, the purposes of the historic district are to (i) safeguard the heritage of the town insofar as the Historic District embodies important elements of the town's culture, history, architectural history, and/or prehistory, and (ii) to promote the use and conservation of the district for the education, pleasure, and enrichment of the residents of the town and/or the State as a whole, See G.S. §160D-940, 944, 947(a).

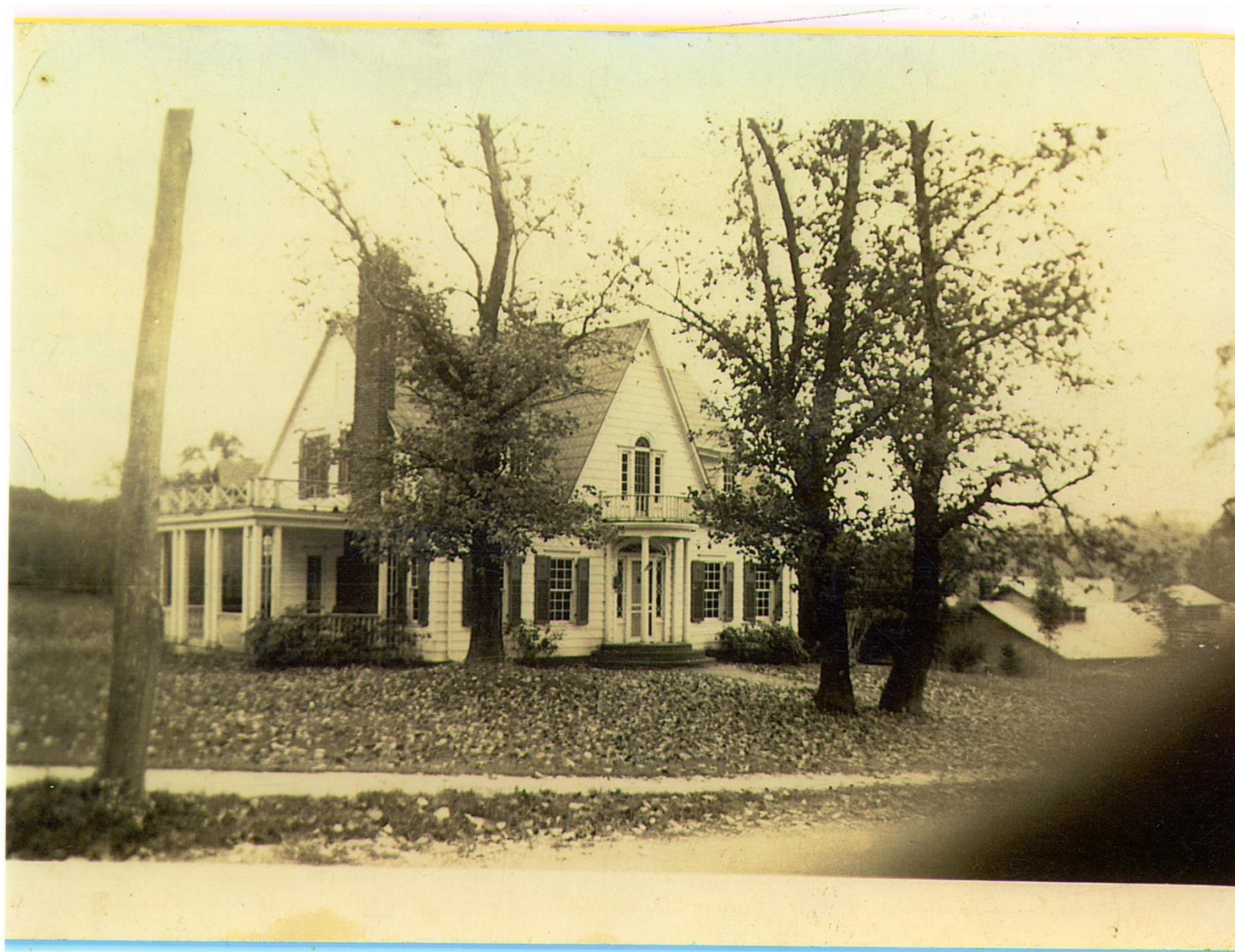


Figure 1. Unknown, "Oscar and Suma Hardin House, Water Street, Boone, NC," Digital Watauga, accessed June 28, 2022, <http://digitalwatauga.org/items/show/7980>.





Figure 2. Paul Weston, "Flood Damage, North Water Street, Boone, NC, August 1940," Digital Watauga, accessed June 28, 2022, <http://digitalwatauga.org/items/show/6344>.





Figure 3. Paul Weston, "Flood Damage, North Water Street #2, Boone, NC, August 1940," Digital Watauga, accessed June 28, 2022, <http://digitalwatauga.org/items/show/6345>.





Figure 4. Paul Weston, "Flood Damage, North Water Street #3, Boone, NC, August 1940," Digital Watauga, accessed June 28, 2022, <http://digitalwatauga.org/items/show/6346>.



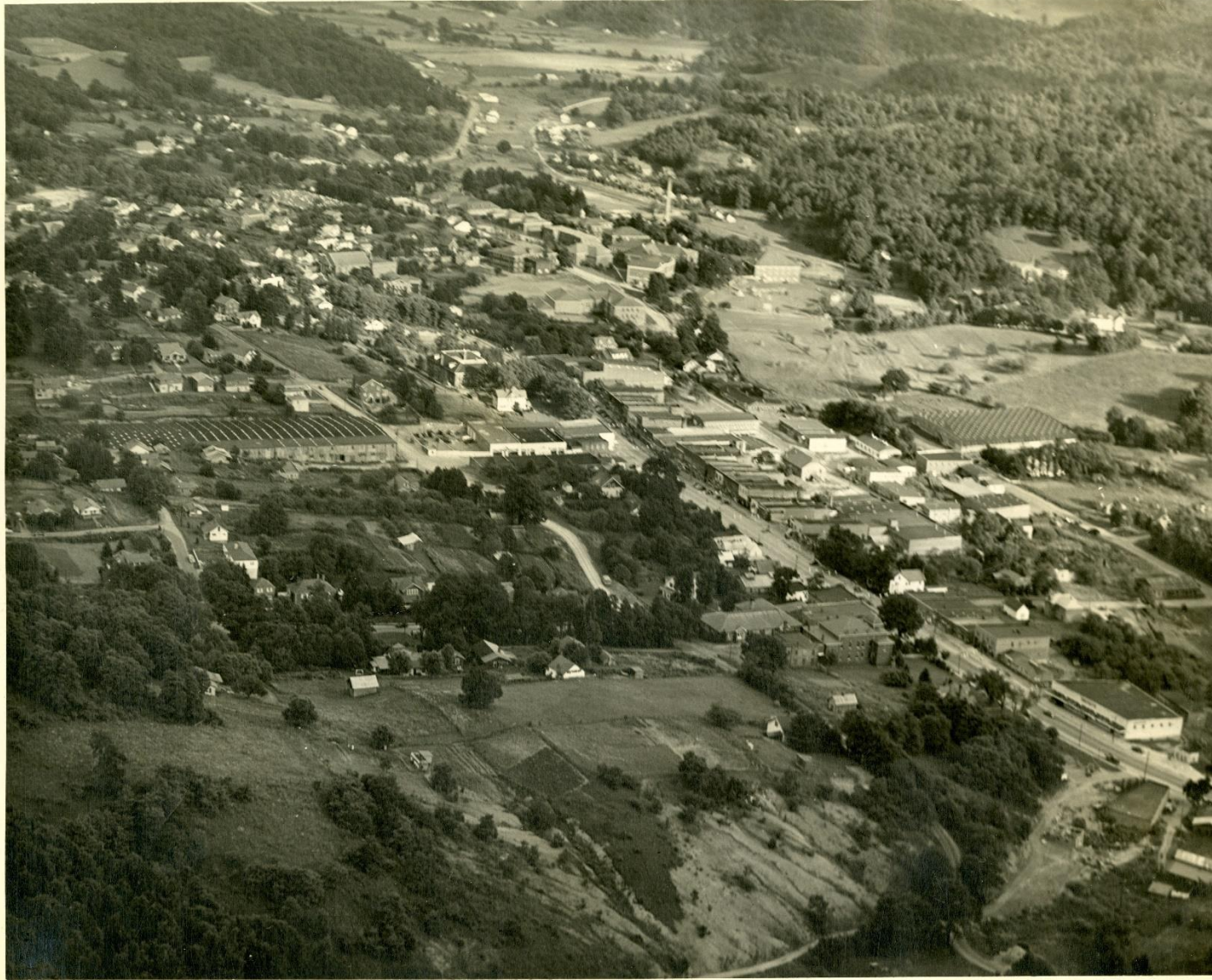


Figure 5 Palmer Blair, "Aerial Print of Downtown Boone," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/3809>.



Planning Staff has zoomed on Figure 5. above to show the property in question.



Figure 6. Palmer Blair, "Aerial Print of Downtown Boone," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/3809>.





Figure 6 Palmer Blair, "Aerial View of Boone from the East, 1950," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/6032>.

Planning Staff has zoomed on Figure 6. above to show the property in question.



Figure 6. Palmer Blair, "Aerial View of Boone from the East, 1950," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/6032>.





Figure 7 Palmer Blair, "Aerial View of Boone from the Southeast, 1950," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/6030>.



Planning Staff has zoomed on Figure 6. above to show the property in question.



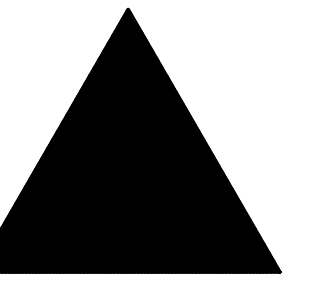
Figure 8. Palmer Blair, "Aerial View of Boone from the Southeast, 1950," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/6030>.



# Exhibit 10


$$\frac{2}{A-1}$$


3  
A-1



APPALACHIAN  
ARCHITECTURE, PA

**APPALACHIAN  
ARCHITECTURE, PA  
BILL DIXON, NCARB  
703 W. KING ST.  
SUITE 201  
BOONE, NC 28607  
828 265 2405  
FAX: 828 265 2406  
WEBSITE: WWW.APPALARCH.COM**

▲DATE: 5/25/22

▲ ■ REVISIONS:  
● DATE: ▲ REV#: ■ BY:

|  | T/27/22 | HPC COMMENTS |
|--|---------|--------------|
|  | 8/2/22  | HPC COMMENTS |

|  |  |
|--|--|
|  |  |
|  |  |

**EXTERIOR ELEVATIONS**

---

**BOONE  
NORTH CAROLINA**

**DRAWN BY:** LB

● CHECKED BY:

SHEET TITLE

$$A = I$$

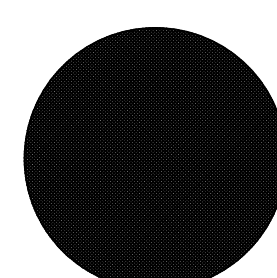





**APPALACHIAN  
ARCHITECTURE, PA**  
**BILL DIXON, NCARB**  
**705 W. KING ST.**  
**SUITE 201**  
**BOONE, NC 28607**  
**828 265 2405**  
**FAX: 828 265 2406**  
**WEBSITE: WWW.APPALARCH.COM**

▲DATE: 6/7/22

|         |              |         |     |
|---------|--------------|---------|-----|
| ▲       | REVISIONS:   |         | BY: |
| ●       | DATE:        | ▲ REV#: |     |
| T/14/22 | HPC COMMENTS |         |     |
| B/2/22  | HPC COMMENTS |         |     |
|         |              |         |     |
|         |              |         |     |



**EXTERIOR ELEVATIONS**

**WATAUGA COUNTY PARKING GARAGE**

**BOONE**  
**NORTH CAROLINA**

● DRAWN BY: LB  
● CHECKED BY:  
● SHEET TITLE

A = 2 OF





*Application Information for Filing for a Certificate of Appropriateness  
for Local Historic Districts & Landmarks*

**PLEASE READ THE ENTIRE APPLICATION PACKAGE**

The Town of Boone strives to review applications as efficiently as possible. The policies outlined below enable Planning Staff and the Historic Preservation Commission to give each application the attention it deserves. Complete applications will be scheduled to appear before the Historic Preservation Commission; incomplete applications, however, will be returned to the applicant pursuant to Article 4 of the Town of Boone Unified Development Ordinance (UDO).

Approval of a Certificate of Appropriateness is required before any "major work" may be carried out with respect to improvement of a property located in Boone's local downtown historic district. Major work may include, but is not limited to, the following:

- A. New construction or additions to buildings
- B. Reconstruction of buildings once located on the site but demolished or moved at some previous time
- C. Restoration or rehabilitation of an historic property to its historic appearance
- D. Pointing of masonry as well as alteration, repair, or replacement of masonry, siding, roofing materials, architectural trim elements, foundations, windows, doors, and other significant architectural details
- E. Demolition of any part of a building or structure
- F. Work that is likely to disrupt or damage known or discovered archaeological resources on the site
- G. Moving of buildings
- H. Replacement of architectural details when there will be a change in design or materials from the original or existing details
- I. Changes to rooflines
- J. Establishment of exterior fire exits
- K. Exterior modification of existing buildings for ADA compliance
- L. Painting or stuccoing of buildings not previously painted or stuccoed
- M. Installation of mechanical systems, air conditioning units, vents, and related equipment in primary elevations that involves alteration to the building facade
- N. Location of satellite dishes, solar panels, and other roof attachments to the primary elevation roof and/or facade of a building if they are not effectively screened or are visible from a public street

**Historic Preservation Commission Information**

- Meetings: 1<sup>st</sup> Tuesday of each month at 6 p.m.
- Meetings are to be held at Council Chambers located at 1500 Blowing Rock Road.

See the published Town of Boone Planning & Inspections Meeting Schedule for more details.



# Certificate of Appropriateness for Major Work

Town of Boone Planning & Inspections Department

680 W. King Street, Suite C ♦ Boone, North Carolina 28607

Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ Email: [planning@townofboone.net](mailto:planning@townofboone.net) ♦ [www.townofboone.net](http://www.townofboone.net)



## A. Required to be Submitted at Time of Application

**Note: A pre-application meeting is required prior to application submittal.**

**Failure to provide the required information will delay the review and scheduling of the requested hearing.**

- ☐ Digital copies of all paper submittal documents (may be emailed to [planning@townofboone.net](mailto:planning@townofboone.net))
- ☐ Four paper copies of complete site plans meeting the requirements of Town of Boone Unified Development Ordinance (UDO), including UDO Appendix A (max. size 30" x 42")
- ☐ Information in compliance with the Supplemental Checklist on Page 4
- ☐ Property Owner Authorization. If you are not the property owner, you will need to provide documentation of property owner authorization to apply for this permit. You may have the property owner sign this application (Section [L](#)), or the property owner can provide a written and signed authorization that clearly states they are authorizing the applicant to submit this application. Permit Fee (See Planning & Inspections Fee Schedule). Each application is allowed two (2) reviews. The 1st review of the submitted information and a 2nd review if revisions or supplemental information is required based upon the 1st review. Each subsequent review after the 2nd review will be charged at 50% of the original fees charged for the application. These fees shall be paid at the time of resubmittal.

## B. Requested Hearing – See latest published Meeting Schedule for dates

Date of requested hearing: 06/7/22

## C. Property Information

Street Address:

161 Howard St, Boone, NC 28607

Watauga County Parcel Identification Number:

2900798147000

Existing Zoning District(s): B0B1-B0B1

Total Land Area: .199 acres

Are there any existing variances or other site-specific approvals granted to the property?

☐ Yes ☐ No ☒ Unknown

If yes, describe:

## D. Applicant Information

Name:

Howard St. Ventures II LLC

Complete Mailing Address (Street, City, Zip):

PO Box 2675, Boone, NC 28607

Phone Number:

828-262-3431

Email Address:

judah@winklerorganization.com

**Preferred Method of Contact for Written/Response Documents (select one):** ☐ Mail or ☒ Email

## E. Property Owner Information

Name:

Howard St Ventures II LLC

Complete Mailing Address (Street, City, Zip):

PO Box 2675, Boone, NC 28607

Phone Number:

828-262-3431

Email Address:

judah@winklerorganization.com

## F. Landmark/District Information

District/Landmark Name:

Downtown Core/WT0602 Wilcox Drug Company Complex

Period of Significance:

1944



## G. Project Details

Project Cost: \$ 50,000

### Project Type:

☐ New Construction

☒ Renovation

☐ Landscaping

☐ Moving Structure

☐ Demolition

## H. Design Professional Information

Designer is an: ☐ Architect

☒ Engineer

☐ Owner

☐ Other:

Name: Laurence F. Lindsey

Company:

L Squared Engineering

L Squared Engineering

Complete Mailing Address (Street, City, Zip):

PO Box 174, Lake Lure, NC

Phone Number:

336-977-5212

Email Address:

laurence.lindsey@bellsouth.net

Additional Designer Information: If additional designers are involved beyond the one listed, please provide additional info on a separate sheet

## I. Applicant Signature and Property Owner Authorization

I hereby certify that I am authorized to submit this application, that all information is correct and complete, and all work will comply with all applicable State and local laws, ordinances, and regulations.

I acknowledge and agree that the Historic Preservation Commission members, Town employees, and Town agents may enter, solely in performance of their official duties and only at mutually agreeable times, upon the applicant's property for examination or survey thereof pursuant to North Carolina General Statute 160A-400.8.

I understand and agree that an approved Certificate of Appropriateness is valid only for the particular application, plans, specifications, and related project details presented to, and approved by, the Historic Preservation Commission. Any proposed modification or addition must be submitted to the Planning and Inspections Department for review.

By signing below, the applicant agrees to notify the Planning and Inspections Department of any changes or alterations in the data contained in this application, the approved plans, or the approved specifications related to the project that is the subject of this application.

Hearings on Certificate of Appropriateness applications before the Commission are quasi-judicial proceedings. Therefore, Historic Preservation Commission members cannot discuss a pending application with the applicant or other party. By signing below, the applicant agrees to refrain from speaking with or contacting any member of the Historic Preservation Commission about an application outside of the formal evidentiary hearing on the application.

John Winkler

Applicant (Print)

Applicant (Signature)

3/24/22

Date

Howard St Ventures II LLC

Property Owner (Print)

Property Owner (Signature)

3/24/22

Date

### Official Use Only

Permit Name:

Wilcox Warehouse - COA

|                                     |                         |                                  |                                                                                                                          |                                               |
|-------------------------------------|-------------------------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Permit Number: <b>205737-052522</b> |                         |                                  |                                                                                                                          |                                               |
| Date:<br><b>05-25-22</b>            | Fee:<br><b>\$100.00</b> | Receipt Number:<br><b>521869</b> | Method of Payment:<br><input type="checkbox"/> Cash<br><input checked="" type="checkbox"/> Check<br>Number: <b>30421</b> | Paid By:<br><b>King Construction of Boone</b> |

Public Hearing Meeting Date: \_\_\_\_\_

Date of APO Mailed Notification: \_\_\_\_\_

Date of Posted Notification: \_\_\_\_\_

Request Approved: ☐ Yes ☐ No

S:\FORMS\PI\_Forms\_Current\Planning Forms\LocalHistoricLandmark\_07012021.docx

### *COA for Major Work Supplemental Checklist*

**Note: The following is a checklist for the presentation materials needed for your application. It is the applicant's responsibility to provide adequate photographs, architectural plans, and other material to enable the HPC to understand the proposal and its impact on the historic district/landmark. The consideration of the application may be delayed if preservation materials are not sufficient to evaluate the proposal.**

- ☐ Written Description of the proposed work: Describe in detail the scope and nature of the proposed project, including exact material types, colors, and dimensions for materials to be used (e.g., width of siding, color of window trim, type of roofing materials, etc.).
- ☐ Design Standards References: Cite the applicable sections of the design standards related to and/or reflected in the proposed request.
- ☐ Photographs of Existing Conditions: Provide current photographs showing the present conditions of the area where the work will be completed and/or the portions of any existing building that will be affected by the proposed work. Photographs must be clearly labeled and keyed to a site plan.
- ☐ Site Plan: For development which includes modifications to the site in addition to the building, the applicant shall provide scaled drawings prepared in accordance with UDO Appendix A, which depict at least the relationship of all buildings, secondary structures, driveways, sidewalks, fences, drains, lighting, and trees to the property line. Clearly identify the location of any and all proposed changes. Caliper of trees should be indicated as measured from four and a half feet (4.5') above the earth's surface.
- ☐ Historical Documentation: If available, provide copies of historic photographs of the property in question, along with a list of any known previous alterations to the property (and the approximate date of those alterations). If the property is already listed on the National Register of Historic Places or is a designated Local Historic Landmark, include a copy of the nomination text for the property.

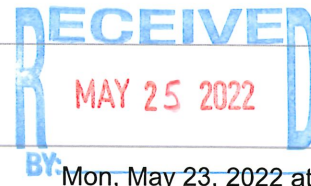




Judah Goheen &lt;judah@winklerorganization.com&gt;

**COA for 173 Howard Street**

1 message

**Christy Turner** <Christy.Turner@townofboone.net>

To: winkheelsfan@yahoo.com

Cc: jason@valorengineering.com, Chris Houser &lt;chris@winklerorganization.com&gt;, Judah Goheen

&lt;judah@winklerorganization.com&gt;, "scott@winklerorganization.com" &lt;scott@winklerorganization.com&gt;, Brent Davis &lt;bda.arch@yahoo.com&gt;

Mon, May 23, 2022 at 4:27 PM

John-

Attached is the application for 179 Howard Street for the Certificate of Appropriateness. It will need to be turned in with the supplemental information no later than 3:00 pm on May 25, 2022. You will need to completely fill out the application and turn in with it the following information:

- ✓ 1. Written description of the proposed work including the exact materials, colors and dimensions of the materials being used. *Stucco + Ashm to match existing*
- NA 2. Cite the applicable standards of the Design Standards related to the proposed request (please call me with any questions about this.)
- ✓ 3. Photographs of the existing conditions of the building.
- NA 4. A site plan to show the property lines and other applicable elements that relate to the proposed work.
- ✓ 5. Historic Documentation of the property in questions, along with any other previous know alterations to the property.
- ✓ 6. Property Owner Authorization that you have the ability to submit the application.
- ✓ 7. The letter from your structural engineer.
- ✓ 8. A \$100.00 submission fee for the COA

I will be out of the office on Wednesday having surgery, but please let me know tomorrow if you have any questions. Thanks so much and have a great evening.

Christy

Christy M. Turner  
Senior Planner  
Town of Boone  
Planning and Inspections Department  
(828) 268-6960 Phone  
(828) 268-6961 Fax

Disclaimer: The information provided herein is only informal advice. This email is not a final decision, is not binding on the Town, and is not appealable. A binding decision or interpretation may only be provided in response upon proper written application. If you wish to obtain a final and binding decision or interpretation from the Town, you must specifically request such a decision or interpretation and submit the required written application and fee. Please contact the Planning and Inspections Department for more information.

"The Town of Boone is an equal opportunity provider and employer."

Email correspondence to and from this address is subject to public records requests pursuant to the North Carolina Public Records Law, resulting in monitoring and potential disclosure of this message to third parties.

**COAforMajorWork\_10052021.pdf**  
826K





### 173 Howard St (Wilcox Warehouse) - Exterior Stucco Replacement Project Description

- 1) Remove all existing damaged/loose/unsafe stucco siding from block/brick walls.
- 2) Remove concrete roof tiles on awning and remove damaged wood sub-roofing.
- 3) Temporarily remove awning framing to expose block wall behind awning and replace awning anchoring for improved safety (preferred method), or leave awning framing/anchoring in place and not replace anchoring (as requested by Town of Boone).
- 4) Attach metal lath to block/brick using Tapcon concrete screw anchors (see attached spec sheet) for a proper stucco application base.
- 5) Install new natural stucco on metal lath (see attached spec sheet).
- 6) Paint new natural stucco back to existing/matching color (see attached paint sample).
- 7) Reinstall awning framing, replace wood sub-roofing, and reinstall concrete roof tiles and replace damaged tiles with new/matching tiles as needed (see attached spec sheet).

L<sup>2</sup>

## L SQUARED ENGINEERING

PO Box 174

Lake Lure, North Carolina

336-977-5212

---

May 24, 2022

John Winkler

215 Boone Heights Drive, Suite 100

Boone, NC 28607

Re: Exterior Finish  
Brick Building  
173 Howard Street  
Boone, NC

Dear Mr. Winkler:

In accordance with your request and authorization the undersigned engineer from L Squared Engineering (LSE) has observed the existing exterior finishes of the building at the referenced location. This report provides recommendations to enhance the exterior of the building.

Currently the building has an exterior of brick and concrete block. The brick at some locations have fragmented slightly but not to a point where they are unsightly. The following is recommended.

1. Seal all brick surfaces and leave the brick as it is. (Preferred)
2. Cover the brick with a natural stucco. Do not use synthetic stucco.
3. In either case cover the concrete block with a natural stucco.

If you have any questions or comments regarding this report, or require any additional engineering services, it is recommended that you contact me at your earliest opportunity.

Sincerely,  
L Squared Engineering  
Laurence F. Lindsey, P.E.



# MORTAR MIX TYPE N

◆ The Pro's Choice Since 19



Sakrete® Type N Mortar Mix is a preblended mixture of sand and masonry cement or sand, lime and portland cement. For laying brick, block and stone in load bearing walls. Build walls, planters, and chimneys. For tuck pointing or repairing existing mortar joints. Can also be used for scratch and brown coat in stucco applications. Meets property requirements of ASTM C270 and C1714.

## Features:

- Strength >750 psi
- Meets property requirements of ASTM C1714 and ASTM C270
- Applications from 1/4" (6.4 mm) to 1/2" (13 mm)
- Can be color pigmented with the Sakrete Cement Colors

## Use For:

- Laying brick or block
- Scratch and brown coat in stucco
- Above grade applications
- Interior or exterior
- Brick and block tuck pointing

## Yield/Water/Coverage:

| Bag Size           | Yield: For laying brick, block, or cultured stone                                                                          | Yield: For stucco                                                          | Water             |
|--------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------|
| 40 lb<br>(18.1 kg) | Will lay 6 = 8" (200 mm) concrete block, 18 standard bricks or 5 ft <sup>2</sup> (0.5 m <sup>2</sup> ) of cultured stone   | Will cover 35 ft <sup>2</sup> (3.3 m <sup>2</sup> ) at 1/8" (3.2 mm) thick | 2.6 qt<br>(2.5 L) |
| 60 lb<br>(27.2 kg) | Will lay 9 = 8" (200 mm) concrete block, 26 standard bricks or 7.5 ft <sup>2</sup> (0.7 m <sup>2</sup> ) of cultured stone | Will cover 50 ft <sup>2</sup> (4.3 m <sup>2</sup> ) at 1/8" (3.2 mm) thick | 4.0 qt<br>(3.8 L) |
| 80 lb<br>(36.3 kg) | Will lay 12 = 8" (200 mm) concrete block, 35 standard bricks or 10 ft <sup>2</sup> (1.0 m <sup>2</sup> ) of cultured stone | Will cover 70 ft <sup>2</sup> (6.4 m <sup>2</sup> ) at 1/8" (3.2 mm) thick | 5.3 qt<br>(5 L)   |

NOTE: Yield and water are approximate. The yield above does not allow for waste and spillage.

## Technical Data:

Compressive Strength ASTM C270 28 day= >750 psi  
Water Retention > 75%

Mortar should be tested in the field by ASTM C780, standard test method for preconstruction & construction evaluation for mortar for plain and reinforced unit masonry. Due to the procedure differences between ASTM C270 and ASTM C780, the compressive strength values resulting from field sampled mortar are not required nor expected to meet the minimum compressive strengths of the property specifications of ASTM C270 as tested in controlled laboratory conditions.

## DIVISION 4

Masonry Mortaring – 04 05 13

**Color:** Gray

## Preparation/Application:

For best results all materials should be stored between 40°F (4°C) and 80°F (27°C) 24 hours prior to installation.

Refer to:

- ACI 530.1 Specification for Masonry Structures
- International Masonry Industry All-Weather Council (IMIAC)
  - Recommended Practices and Guild Specifications for Cold Weather Masonry Construction
  - Recommended Practices and Guide Specifications for Hot Weather Masonry Construction

NOTE: it is the responsibility of the installer/applicator to ensure the suitability of the product for its intended use.

## New Construction:

When laying brick or block, construct a sound footing above grade. Consult with your local building codes before proceeding. For more information visit [Sakrete.com](http://Sakrete.com)

1. Apply a full bed of mortar onto the base where the brick or block will be placed.
2. When laying brick or block butter the end with mortar before placing into the full bed of mortar.
3. Tap into place while leveling.
4. Tool joints once the mortar has set up enough and is thumb print hard.

## Tuck Pointing:

1. Place mortar into the joint with a tuck pointing trowel or grout bag.
2. Use the tuck pointing trowel to tool the joint and compact for a tight neat appearance.

## Scratch/Brown/Stucco:

1. Application over masonry must follow ASTM C926 Standard Specification for Application of Portland Cement Based Plaster.
2. Applications over lath must follow ASTM C1063 Standard Specification for Installation of Lathing and Furring to receive interior and exterior Portland cement based plaster.
3. Apply material using a trowel and masonry hawk using enough pressure to compact the material.
4. Texture stucco to match the surrounding area using a plasterer's trowel or finish to desired texture.

NOTE: Check with local building code requirements for proper installation guidelines.

## Mixing:

1. Empty contents of Sakrete Type N Mortar Mix into a wheelbarrow or mortar pan forming a crater in the center of the dry mix for the addition of clean potable water. Projects requiring multiple bags are mixed much easier with a mechanical mixer.





# MORTAR MIX TYPE N

♦ The Pro's Choice Since 19

2. Add clean potable water (see table for water amounts) or enough to achieve a workable mix. Add additional water if needed. A SOUPY MIX MUST BE AVOIDED.
3. Excess water reduces strength and durability and can cause cracking, dusting or scaling.
4. Re-tempering impairs performance.

## **Curing:**

1. Proper curing is critical for sound results. Curing means maintaining proper moisture and temperature. The material must be kept continuously moist for several days.
2. In hot or windy conditions keep the mortar/stucco damp to promote a proper curing.
3. Drape plastic over the wall to help retain moisture.
4. If surface begins to appear dry remove the plastic moisten the surface and replace the plastic.

**Can be painted:** Using an alkali resistant lime proof paint usually after 7 days of the stucco application provided the masonry is dry. Contact paint manufacturer for application recommendations.

## **Precautions:**

Air, mix and substrate temperatures should be between 40°F (4°C) and 90°F (32°C) and no rain in the forecast within 24 hours of application. For applications outside this range of temperatures and conditions, contact Sakrete Technical Service.

- Colder temperatures or higher humidity conditions will retard set times.
- Use only clean mixing container and tools.
- Do not over trowel.
- Do not overwater.
- Do not add any materials other than clean potable water or Sakrete Bonder and Fortifier. See Technical Data Sheet for mixing instructions.
- Protect from freezing for 24 hours.

*NOTE: Proper application and installation of all Sakrete products are the responsibility of the end user.*

## **Safety:**

READ and UNDERSTAND the Safety Data Sheet (SDS) before using this product. WARNING: Wear protective clothing and equipment. For emergency information, call CHEMTREC at 800-424-9300 or 703-527-3887 (outside USA). KEEP OUT OF REACH OF CHILDREN.

## **Limited Product Warranty:**

The manufacturer warrants that this product shall be of merchantable quality when used or applied in accordance with the manufacturer's instructions. This product is not warranted as suitable for any purpose other than the general purpose for which it is intended. This warranty runs for one (1) year from the dates the product is purchased. ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE ON THIS PRODUCT IS LIMITED TO THE DURATION OF THIS WARRANTY. Liability under this warranty is limited to replacement or defective products or, at the manufacturer's option, refund of the purchase price. CONSEQUENTIAL AND INCIDENTAL DAMAGES ARE NOT RECOVERABLE UNDER THIS WARRANTY.



Communication: Z05737-052522 - Exhibit 2 - Project Description (Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) - COA)



### ULTIMATE TENSION AND SHEAR VALUES (LBS/KN) IN CONCRETE

| ANCHOR DIA<br>In.(mm) | MIN. DEPTH OF EMBEDMENT<br>In.(mm) | f' c = 2000 PSI (13.8 MPa) |                    | f' c = 3000 PSI (20.7 MPa) |                    | f' c = 4000 PSI (27.6 MPa) |                    | f' c = 5000 PSI (34.5 MPa) |                    |
|-----------------------|------------------------------------|----------------------------|--------------------|----------------------------|--------------------|----------------------------|--------------------|----------------------------|--------------------|
|                       |                                    | TENSION<br>Lbs. (kN)       | SHEAR<br>Lbs. (kN) | TENSION<br>Lbs. (kN)       | SHEAR<br>Lbs. (kN) | TENSION<br>Lbs. (kN)       | SHEAR<br>Lbs. (kN) | TENSION<br>Lbs. (kN)       | SHEAR<br>Lbs. (kN) |
| 3/16 (4.8)            | 1 (25.4)                           | 600 (2.7)                  | 720 (3.2)          | 625 (2.8)                  | 720 (3.2)          | 650 (2.9)                  | 720 (3.2)          | 800 (3.6)                  | 860 (3.8)          |
|                       | 1-1/4 (31.8)                       | 845 (3.7)                  | 720 (3.2)          | 858 (3.8)                  | 720 (3.2)          | 870 (3.9)                  | 720 (3.2)          | 1,010 (4.5)                | 860 (3.8)          |
|                       | 1-1/2 (38.1)                       | 1,090 (4.8)                | 860 (3.8)          | 1,090 (4.8)                | 860 (3.8)          | 1,090 (4.8)                | 860 (3.8)          | 1,220 (4.8)                | 860 (3.8)          |
|                       | 1-3/4 (44.5)                       | 1,450 (6.5)                | 870 (3.9)          | 1,455 (6.5)                | 870 (3.9)          | 1,460 (6.5)                | 990 (4.4)          | 1,730 (7.7)                | 990 (4.4)          |
| 1/4 (6.4)             | 1 (25.4)                           | 750 (3.3)                  | 900 (4.0)          | 775 (3.4)                  | 900 (4.0)          | 800 (3.6)                  | 1,360 (6.1)        | 950 (4.2)                  | 1,440 (6.4)        |
|                       | 1-1/4 (31.8)                       | 1,050 (4.7)                | 900 (4.0)          | 1,160 (5.2)                | 900 (4.0)          | 1,270 (5.6)                | 1,360 (6.1)        | 1,515 (6.7)                | 1,440 (6.4)        |
|                       | 1-1/2 (38.1)                       | 1,380 (6.1)                | 1,200 (5.3)        | 1,600 (7.2)                | 1,200 (5.3)        | 1,820 (8.1)                | 1,380 (6.1)        | 2,170 (9.7)                | 1,670 (7.4)        |
|                       | 1-3/4 (44.5)                       | 2,020 (9.0)                | 1,670 (7.4)        | 2,200 (9.8)                | 1,670 (7.4)        | 2,380 (10.6)               | 1,670 (7.4)        | 2,770 (12.3)               | 1,670 (7.4)        |

Safe working loads for single installation under static loading should not exceed 25% of the ultimate load capacity.

### ULTIMATE TENSION AND SHEAR VALUES (LBS/KN) IN HOLLOW BLOCK

| ANCHOR DIA<br>In.(mm) | ANCHOR EMBEDMENT<br>In.(mm) | LIGHTWEIGHT BLOCK    |                    | MEDIUM WEIGHT BLOCK  |                    |
|-----------------------|-----------------------------|----------------------|--------------------|----------------------|--------------------|
|                       |                             | TENSION<br>Lbs. (kN) | SHEAR<br>Lbs. (kN) | TENSION<br>Lbs. (kN) | SHEAR<br>Lbs. (kN) |
| 3/16 (4.8)            | 1 (25.4)                    | 220 (1.0)            | 400 (1.8)          | 340 (1.5)            | 730 (3.2)          |
| 1/4 (6.4)             | 1 (25.4)                    | 250 (1.1)            | 620 (1.8)          | 500 (2.2)            | 1,000 (4.4)        |

Safe working loads for single installation under static loading should not exceed 20% of the ultimate load capacity.

**NOTE:** 3/16" Tapcon requires 5/32" bit, 1/4" Tapcon requires 3/16" bit.

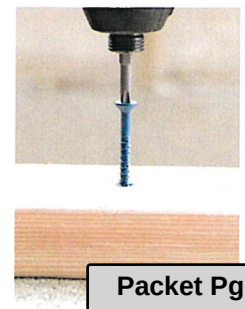
### ALLOWABLE EDGE AND SPACING DISTANCES

| PARAMETER                            | ANCHOR DIA.<br>In.(mm) | NORMAL WEIGHT CONCRETE                         |                                                  |                             | CONCRETE MASONRY UNITS (CMU)                   |                                                  |                             |
|--------------------------------------|------------------------|------------------------------------------------|--------------------------------------------------|-----------------------------|------------------------------------------------|--------------------------------------------------|-----------------------------|
|                                      |                        | FULL CAPACITY<br>(Critical Distance<br>Inches) | REDUCED CAPACITY<br>(Minimal<br>Distance Inches) | LOAD<br>REDUCTION<br>FACTOR | FULL CAPACITY<br>(Critical Distance<br>Inches) | REDUCED CAPACITY<br>(Minimal<br>Distance Inches) | LOAD<br>REDUCTION<br>FACTOR |
| Spacing Between<br>Anchors - Tension | 3/16                   | 3                                              | 1-1/2                                            | 0.73                        | 3                                              | 1-1/2                                            | 1.00                        |
|                                      | 1/4                    | 4                                              | 2                                                | 0.66                        | 4                                              | 2                                                | 0.84                        |
| Spacing Between<br>Anchors - Shear   | 3/16                   | 3                                              | 1-1/2                                            | 0.83                        | 3                                              | 1-1/2                                            | 1.00                        |
|                                      | 1/4                    | 4                                              | 2                                                | 0.82                        | 4                                              | 2                                                | 0.81                        |
| Edge Distance -<br>Tension           | 3/16                   | 1-7/8                                          | 1                                                | 0.83                        | 3                                              | 2                                                | 0.91                        |
|                                      | 1/4                    | 2-1/2                                          | 1-1/4                                            | 0.82                        | 4                                              | 2                                                | 0.81                        |
| Edge Distance -<br>Shear             | 3/16                   | 2-1/4                                          | 1-1/8                                            | 0.70                        | 3                                              | 2                                                | 0.93                        |
|                                      | 1/4                    | 3                                              | 1-1/2                                            | 0.59                        | 4                                              | 2                                                | 0.80                        |

For SI: 1 inch = 25.4 mm



## JOB DONE RIGHT THE FIRST TIME, EVERY TIME







## ICC-ES Evaluation Report ESR-1671

Reissued September 2021

This report is subject to renewal September 2023.

**DIVISION:** 04 00 00—MASONRY  
**Section:** 04 05 19.16—Masonry Anchors

**REPORT HOLDER:**

ITW BUILDDEX

**EVALUATION SUBJECT:**

**TAPCON® ANCHORS WITH ADVANCED  
THREADFORM TECHNOLOGY**

**ADDITIONAL LISTEE:**

ITW RESIDENTIAL & RENOVATION

### 1.0 EVALUATION SCOPE

**Compliance with the following codes:**

- 2018, 2015, 2012 and 2009 *International Building Code®* (IBC)
- 2018, 2015, 2012 and 2009 *International Residential Code®* (IRC)

**Property evaluated:**

Structural

### 2.0 USES

The Tapcon Anchors with Advanced Threadform Technology are used as anchorage to resist static, tension and shear loads in uncracked, grouted or ungrouted concrete masonry construction, unless otherwise noted in this report.

The Tapcon anchors are alternatives to cast-in-place anchors described in Section 8.1.3 (2016 or 2013 edition), or Section 2.1.4 (2011 or 2008 edition) of TMS 402 as referenced in Section 2107.1 of the IBC.

The anchors are permitted to be used in structures regulated by the IRC, provided an engineered design is submitted in accordance with Section R301.1.3 of the IRC.

### 3.0 DESCRIPTION

#### 3.1 Tapcon Anchors with Advanced Threadform Technology:

The Tapcon Anchors with Advanced Threadform Technology are manufactured from carbon steel with supplementary heat treatment. They have an alternating

high-low thread form and are available in  $\frac{3}{16}$ - and  $\frac{1}{4}$ -inch (4.8 and 6.4 mm) diameters with various lengths. Tapcon carbon steel anchors are available with a slotted hex washer head, slotted hex washer head with under head ribs, Phillips flat head, Star flat head, Maxi-set head or Scots® stainless steel head. Different head styles for Tapcon Anchors with Advanced Threadform Technology are illustrated in Figure 1 and Figure 2.

The Tapcon Anchors is available in Blue Climaseal, Silver Climaseal, Ultrashield and White Ultrashield coating. Blue Climaseal is a water-based polymer type coating (blue in color) that has been cured at elevated temperature. Silver Climaseal is a water-based polymer type coating (silver in color) that has been cured at elevated temperature. Ultrashield is a water-based polymer type coating (silver in color) that consists generally of multiple coats which are cured at elevated temperature. White Ultrashield is a water-based polymer type coating (white in color) that consists generally of multiple coats which are cured at elevated temperature.

#### 3.2 Grout-filled Concrete Masonry:

The specified compressive strength of masonry,  $f_m$ , at 28 days must be a minimum of 1,500 psi (10.3 MPa). Fully grouted masonry walls must be constructed from the following materials:

**3.2.1 Concrete Masonry Units (CMUs):** Concrete masonry units are closed-end units, minimum Grade N, Type II, lightweight, medium-weight, or normal-weight conforming to ASTM C90. The minimum allowable nominal size of the CMU must be 8 inches (203.2 mm) wide by 8 inches (203.2 mm) high by 16 inches (406.4 mm) long.

**3.2.2 Grout:** Grout must comply with IBC Section 2103.3 (2018 and 2015 IBC), 2013.13 (2012 IBC), Section 2103.12 (2009 IBC) or IRC Section R606 (2018 and 2015 IRC), R609.1.1 (2012 and 2009), as applicable. Alternatively, the grout must have a minimum compressive strength when tested in accordance with [ASTM C1019](#) equal to its specified strength, but not less than 2,000 psi (13.8 MPa).

**3.2.3 Mortar:** Mortar must be Type M or S in compliance with IBC Section 2103 or IRC Section R606.2.8 (2018), R606.2.7 (2015), R607.1 (2012 and 2009), as applicable.

### 4.0 DESIGN AND INSTALLATION

#### 4.1 Allowable Stress Design (ASD):



**4.1.1 General:** Anchors described in this report are assigned allowable tension and shear loads for design based on allowable stress design (ASD) under the codes described in Section 1.0 of this report.

**4.1.2 Design of Anchors in Concrete Masonry:** Anchors are limited to installation into the face shell of grouted or ungrouted, uncracked concrete masonry units at locations indicated by the non-shaded areas in Figure 5. Masonry wall construction must be fully mortared. Allowable tension and shear loads for installation in concrete masonry under the IBC and IRC are noted in Tables 1 and 2.

Allowable load reduction factors noted in Table 3 are applicable to the allowable loads shown in Tables 1 and 2. Allowable loads for anchors installed in concrete masonry subjected to combined shear and tension forces must be determined by the following equation:

$$\left(\frac{P_s}{P_t}\right) + \left(\frac{V_s}{V_t}\right) \leq 1 \quad (\text{Eq-1})$$

where:

$P_s$  = Applied service tension load.

$P_t$  = Allowable service tension load.

$V_s$  = Applied service shear load.

$V_t$  = Allowable service shear load.

**4.1.3 Minimum Spacing and Minimum Edge Requirements:** The minimum spacing between anchors and the minimum edge distance between the anchor and the edge of the concrete masonry wall must be as set forth in Table 3. For anchors installed between the critical edge distance,  $c_{cr}$ , and minimum edge distance,  $c_{min}$ , load reduction factors must be used in accordance with Table 3. For anchors installed between the critical spacing distance,  $s_{cr}$ , and minimum spacing distance,  $s_{min}$ , load reduction factors must be used in accordance with Table 3. Edge distances less than the critical edge distance,  $c_{cr}$ , are not permitted for anchors installed in medium- or normal- weight CMUs.

## 4.2 Installation:

The Tapcon® Screw Anchors must be installed in accordance with the manufacturer's published instructions (MPII) included in each unit package as described in Figure 4 of this report. In case of conflict, this report governs. Anchor locations must comply with this report and the plans and specifications approved by the code official. Holes must be predrilled in masonry with a Tapcon® carbide-tipped drill bit supplied by ITW. The hole must be drilled to the specified nominal embedment depth plus a minimum of 1/4 inch (6.4 mm). Before anchor installation, dust and other debris must be removed using a vacuum or compressed air. The anchors must then be installed through the attachment into the hole, in accordance with ITW's instructions, to the specified nominal embedment depth using a hammer drill in a rotary-only mode with an ITW Buildex Condrive® Tool and drive socket. Anchors must not be installed until the masonry has fully cured to its specified strength.

## 4.3 Special Inspection:

Continuous special inspection under the IBC and IRC, in accordance with Section 1704 of the IBC, must be provided during anchor installation as set forth in Tables 1 or 2 of this report. The code official must receive a report, from an approved special inspector, that includes the following details:

1. Anchor description, including the anchor product name, nominal anchor diameter, and anchor length.
  2. Hole description, including verification of drill bit compliance with ITW Buildex's instructions, hole depth, concrete masonry wall thickness and hole cleanliness.
  3. Installation description, including hole location (spacing and edge distance), anchor embedment, and verification of anchor installation in accordance with the manufacturer's published installation instructions and this report.
  4. Concrete masonry unit size and compressive strength, mortar compressive strength and, when required, masonry prism compressive strength.
- ## 5.0 CONDITIONS OF USE
- The Tapcon Anchors with Advanced Threadform Technology, as described in this report, are suitable alternatives to what is specified in those codes listed in Section 1.0 of this report, subject to the following conditions:
- 5.1 Anchor sizes, dimensions and installation must comply with this report and the manufacturer's published installation instructions. In the event of a conflict between this report and the manufacturer's published installation instructions, this report governs.
  - 5.2 Under the IBC or IRC, use of the anchors to resist wind or seismic loads is beyond the scope of this report. The allowable loads or load combinations for the anchors must not be adjusted for anchors subjected to wind or seismic loads.
  - 5.3 Since an ICC-ES acceptance criteria for evaluating data to determine the performance of anchors subjected to fatigue or shock loading is unavailable at this time, the use of these anchors under these conditions is beyond the scope of this report.
  - 5.4 Where not otherwise prohibited by the applicable code, anchors are permitted for use with fire-resistance-rated construction provided that at least one of the following conditions is fulfilled:
    - Anchors that support fire-resistance-rated construction or gravity load-bearing structural elements are within a fire-resistance-rated envelope or a fire-resistance-rated membrane, are protected by approved fire-resistance-rated materials, or have been evaluated for resistance to fire exposure in accordance with recognized standards.
    - Anchors are used to support nonstructural elements.
  - 5.5 Since an ICC-ES acceptance criteria for evaluating the performance of screw anchors in cracked masonry is unavailable at this time, the use of anchors is limited to installation in uncracked masonry. Cracking occurs when  $f_t > f_r$  due to service loads or deformations.
  - 5.6 Calculations demonstrating that the applied loads are less than the allowable loads described in this report, must be submitted to the code official. The calculations must be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.
  - 5.7 Special inspection must be provided in accordance with Section 4.3 of this report.
  - 5.8 Anchors are limited to dry, interior use.
  - 5.9 Use of anchors in contact with preservative-treated and fire-retardant-treated wood is beyond the scope of this report.
  - 5.10 Anchors are manufactured under an approved quality control program with inspections by ICC-ES

**6.0 EVIDENCE SUBMITTED**

Data in accordance with the ICC-ES Acceptance Criteria for Predrilled Fasteners (Screw Anchors) in Masonry (AC106), dated March 2018.

**7.0 IDENTIFICATION**

7.1 The Tapcon® Screw Anchors are identified by packaging labeled with the manufacturer's name (ITW Buildex or ITW Residential & Renovation), contact information, anchor name, anchor size and evaluation report number (ESR-1671). The letters "BX" or "TAPCON" and a length identification code letter are stamped on the head of each anchor. See the length identification system illustrated in Figure 3 of this report.

7.2 The report holder's contact information is the following:

**ITW BUILDDEX**  
**155 HARLEM AVE, N4E**  
**GLENVIEW, IL 60025**  
**(800) 848-5611**  
[www.itwbuildex.com](http://www.itwbuildex.com)  
[techsupport@itwccna.com](mailto:techsupport@itwccna.com)

7.3 The Additional Listee's contact information is the following:

**ITW RESIDENTIAL & RENOVATION**  
**155 HARLEM AVE, N3E**  
**GLENVIEW, IL 60025**  
**(877) 489-2726**  
[www.tapcon.com](http://www.tapcon.com)

**TABLE 1—ALLOWABLE TENSION VALUES FOR TAPCON SCREW ANCHORS WITH ADVANCED THREADFORM TECHNOLOGY INSTALLED IN CONCRETE MASONRY UNITS<sup>1,2</sup>**

| ANCHOR DIAMETER (inch)       | DRILL BIT DIAMETER (inch) | MINIMUM EMBEDMENT DEPTH (inch) <sup>3</sup> | IBC/IRC <sup>4</sup> |                    |
|------------------------------|---------------------------|---------------------------------------------|----------------------|--------------------|
|                              |                           |                                             | ASTM C90 CMU Type    |                    |
|                              |                           |                                             | Lightweight (lb)     | Medium/Normal (lb) |
| <sup>3</sup> / <sub>16</sub> | 0.173                     | 1                                           | 40                   | 60                 |
| <sup>1</sup> / <sub>4</sub>  | 0.204                     | 1                                           | 45                   | 105                |

For SI: 1 inch = 25.4 mm; 1 lb = 4.45 N.

<sup>1</sup>The tabulated tension loads are for anchors installed in the face shell of lightweight, medium-weight and normal-weight concrete masonry units in compliance with ASTM C90.

<sup>2</sup>The tabulated tension values are for anchors installed at the specified critical spacing,  $s_{cr}$ , and critical edge distance,  $c_{cr}$ , as noted in Table 3.

<sup>3</sup>The embedment depth is the distance from the concrete masonry unit surface to the bottom of the fastener.

<sup>4</sup>Special inspection shall be provided in accordance with Section 4.3 of this report.

**TABLE 2—ALLOWABLE SHEAR VALUES FOR TAPCON SCREW ANCHORS WITH ADVANCED THREADFORM TECHNOLOGY INSTALLED IN CONCRETE MASONRY UNITS<sup>1,2,3</sup>**

| ANCHOR DIAMETER (inch)       | DRILL BIT DIAMETER (inch) | MINIMUM EMBEDMENT DEPTH (inch) | IBC/IRC <sup>4</sup> |                    |
|------------------------------|---------------------------|--------------------------------|----------------------|--------------------|
|                              |                           |                                | ASTM C90 CMU Type    |                    |
|                              |                           |                                | Lightweight (lb)     | Medium/Normal (lb) |
| <sup>3</sup> / <sub>16</sub> | 0.173                     | 1                              | 85                   | 130                |
| <sup>1</sup> / <sub>4</sub>  | 0.204                     | 1                              | 110                  | 180                |

For SI: 1 inch = 25.4 mm; 1 lb = 4.45 N.

<sup>1</sup>The tabulated shear loads are for anchors installed in lightweight, medium-weight and normal-weight concrete masonry units complying with ASTM C90.

<sup>2</sup>The tabulated tension values are for anchors installed at the specified critical spacing,  $s_{cr}$ , and critical edge distance,  $c_{cr}$ , as noted in Table 3.

<sup>3</sup>The embedment depth is the distance from the concrete masonry unit surface to the bottom of the fastener.

<sup>4</sup>Special inspection shall be provided in accordance with Section 4.3 of this report.

<sup>5</sup>When required, special inspection shall be provided in accordance with Section 4.3 of this report.



**TABLE 3—ALLOWABLE SPACING AND EDGE DISTANCES FOR TAPCON ANCHORS WITH ADVANCED THREADFORM TECHNOLOGY INSTALLED IN CONCRETE MASONRY UNITS (inches)<sup>1,2,3,4,5</sup>**

| CHARACTERISTIC                          | SYMBOL                 | UNITS  | NOMINAL ANCHOR DIAMETER (inches) |                             |
|-----------------------------------------|------------------------|--------|----------------------------------|-----------------------------|
|                                         |                        |        | <sup>3</sup> / <sub>16</sub>     | <sup>1</sup> / <sub>4</sub> |
| Minimum spacing distance                | <i>S<sub>min</sub></i> | inches | 1½                               | 2                           |
| Critical spacing distance               | <i>S<sub>cr</sub></i>  | inches | 3                                | 4                           |
| Spacing load reduction factor - Tension | -                      | -      | 1.00                             | 0.84                        |
| Spacing load reduction factor - Shear   | -                      | -      | 1.00                             | 0.81                        |
| Minimum edge distance                   | <i>C<sub>min</sub></i> | inches | 2                                | 2                           |
| Critical edge distance                  | <i>C<sub>cr</sub></i>  | inches | 4                                | 4                           |
| Edge load reduction factor - Tension    | -                      | -      | 0.91 <sup>6</sup>                | 0.88 <sup>6</sup>           |
| Edge load reduction factor - Shear      | -                      | -      | 0.93                             | 0.80                        |

For SI: 1 inch = 25.4 mm.

<sup>1</sup>The critical edge and spacing distances are for full anchor capacity, and the minimum edge and spacing distances are for reduced anchor capacity.

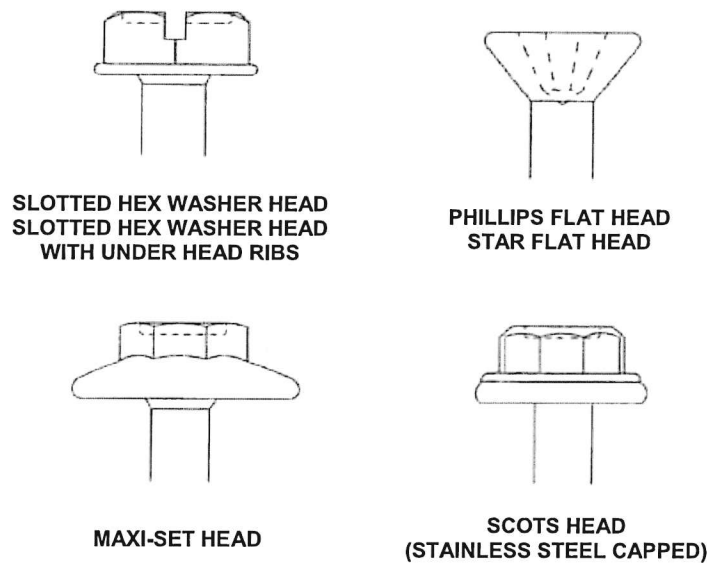
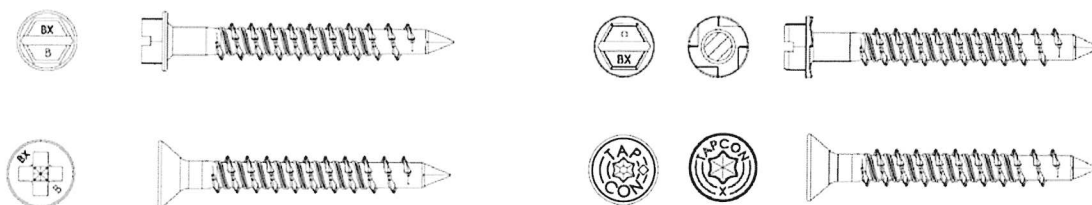
<sup>2</sup>The load reduction factors in this table are applicable only to the allowable loads shown in Tables 1 and 2 of this report.

<sup>3</sup>Reduction factors are cumulative. Multiple reduction factors for more than one spacing or edge distance are calculated separately and multiplied.

<sup>4</sup>Load reduction factors for anchors loaded in tension or shear with spacing between critical and minimum are obtained by linear interpolation.

<sup>5</sup>Load reduction factors for anchors loaded in tension or shear with edge distances between critical and minimum are obtained by linear interpolation.

<sup>6</sup>Reduction applies to anchors installed in lightweight CMU only.

**FIGURE 1—TAPCON ANCHORS WITH ADVANCED THREADFORM TECHNOLOGY HEAD STYLES****FIGURE 2—TAPCON ANCHORS WITH ADVANCED THREADFORM TECHNOLOGY ANCHORS**

| LENGTH MARKING ON ANCHOR HEAD |                          |    | A  | B  | C  | D  | E  | F  | G  | H  | I  | J  |
|-------------------------------|--------------------------|----|----|----|----|----|----|----|----|----|----|----|
| Length of anchor (inches)     | From                     | 1  | 1½ | 2  | 2½ | 3  | 3½ | 4  | 4½ | 5  | 5½ | 6  |
|                               | Up to, but not including | 1½ | 2  | 2½ | 3  | 3½ | 4  | 4½ | 5  | 5½ | 6  | 6½ |

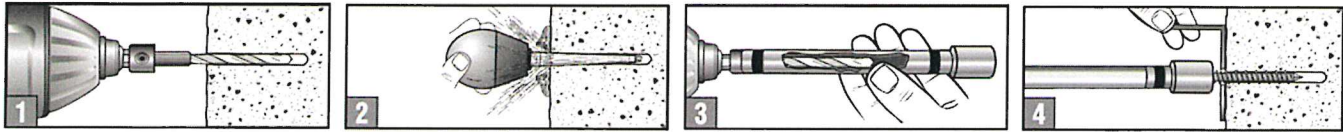
For SI: 1 inch = 25.4 mm.

**FIGURE 3—LENGTH IDENTIFICATION SYSTEM**





### Installation Instructions for $\frac{3}{16}$ " and $\frac{1}{4}$ " diameter Tapcon® Screw Anchors



- 1) Using a Tapcon® drill bit, drill the hole  $\frac{1}{4}$ " deeper than anchor embedment.
- 2) Clean hole with compressed air or vacuum to remove any excess dust/debris.
- 3) Place Condribe® tool with drive socket over drill bit.
- 4) Using drill, hammer mode disabled, drive anchor thru fixture and into hole until nut driver spins free from head of anchor.

FIGURE 4—INSTALLATION INSTRUCTIONS FOR TAPCON® SCREW ANCHORS

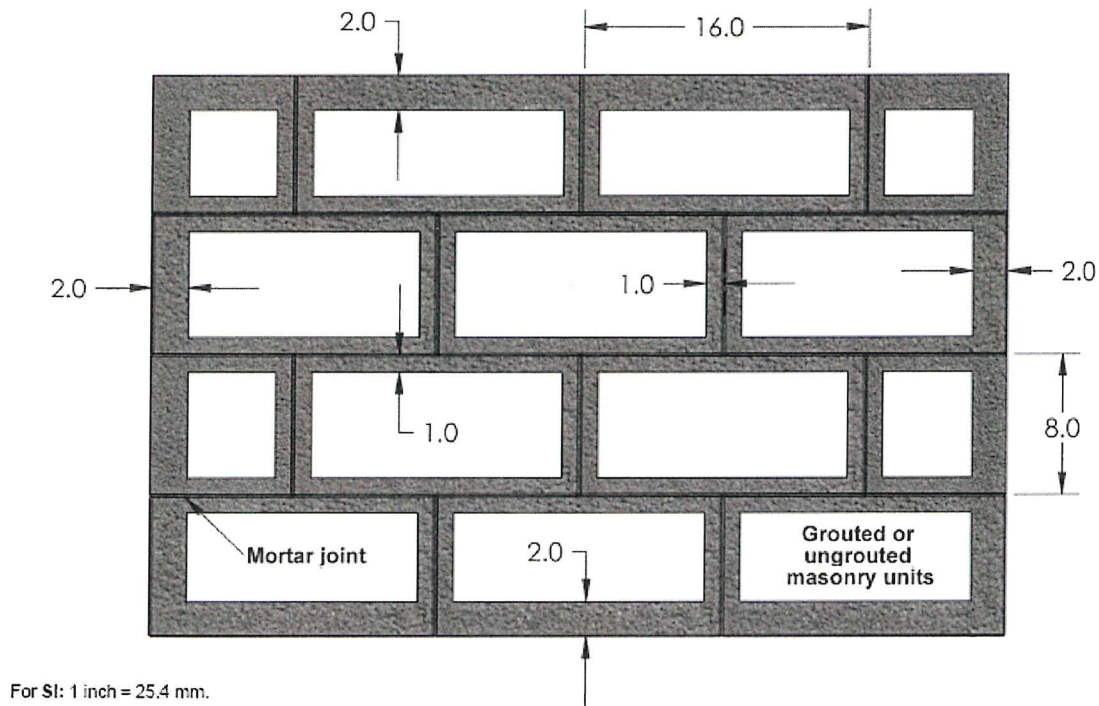


FIGURE 5—ANCHOR LOCATIONS (LIGHT COLOR AREAS) FOR INSTALLATION IN MASONRY UNITS  
(ALL DIMENSIONS IN INCHES)

## ICC-ES Evaluation Report

## ESR-1671 CBC and CRC Supplement

Issued September 2021

This report is subject to renewal September 2023.

[www.icc-es.org](http://www.icc-es.org) | (800) 423-6587 | (562) 699-0543

A Subsidiary of the International Code Council®

DIVISION: 04 00 00—MASONRY  
Section: 04 15 19.16—Masonry Anchors

## REPORT HOLDER:

ITW BUILDEX

## EVALUATION SUBJECT:

TAPCON® ANCHORS WITH ADVANCED THREADFORM TECHNOLOGY

## 1.0 REPORT PURPOSE AND SCOPE

## Purpose:

The purpose of this evaluation report supplement is to indicate that Tapcon® Anchors with Advanced Threadform Technology, described in ICC-ES evaluation report ESR-1671, have also been evaluated for compliance with the codes noted below.

## Applicable code edition(s):

- 2019 California Building Code (CBC)

For evaluation of applicable chapters adopted by the California Office of Statewide Health Planning and Development (OSHPD) and Division of State Architect (DSA), see Sections 2.1.1 and 2.1.2 below.

- 2019 California Residential Code (CRC)

## 2.0 CONCLUSIONS

## 2.1 CBC:

The Tapcon® Anchors with Advanced Threadform Technology, described in Sections 2.0 through 7.0 of the evaluation report ESR-1671, comply with CBC Chapter 21, provided the design and installation are in accordance with the 2018 *International Building Code*® (IBC) provisions noted in the evaluation report and the additional requirements of CBC Chapters 16, 17 and 21, as applicable.

## 2.1.1 OSHPD:

The applicable OSHPD Sections and Chapters of the CBC are beyond the scope of this supplement.

## 2.1.2 DSA:

The applicable DSA Sections and Chapters of the CBC are beyond the scope of this supplement.

## 2.2 CRC:

The Tapcon® Anchors with Advanced Threadform Technology, described in Sections 2.0 through 7.0 of the evaluation report ESR-1671, comply with CRC Chapter 3, provided the design and installation are in accordance with the 2018 *International Residential Code*® (IRC) provisions noted in the evaluation report and the additional requirements of CRC Chapter 3, as applicable.

This supplement expires concurrently with the evaluation report, reissued September 2021.

# ICC-ES Evaluation Report

# ESR-1671 FBC Supplement

Reissued September 2021

This report is subject to renewal September 2023.

[www.icc-es.org](http://www.icc-es.org) | (800) 423-6587 | (562) 699-0543

A Subsidiary of the International Code Council®

DIVISION: 04 00 00—MASONRY

Section: 04 05 19.16—Masonry Anchors

REPORT HOLDER:

ITW BUILDEX

EVALUATION SUBJECT:

TAPCON® ANCHORS WITH ADVANCED THREADFORM TECHNOLOGY

## 1.0 REPORT PURPOSE AND SCOPE

### Purpose:

The purpose of this evaluation report supplement is to indicate that Tapcon® Anchors with Advanced Threadform Technology for masonry construction, described in ICC-ES evaluation report ESR-1671, have also been evaluated for compliance with the codes noted below.

### Applicable code editions:

- 2017 *Florida Building Code—Building*
- 2017 *Florida Building Code—Residential*

## 2.0 CONCLUSIONS

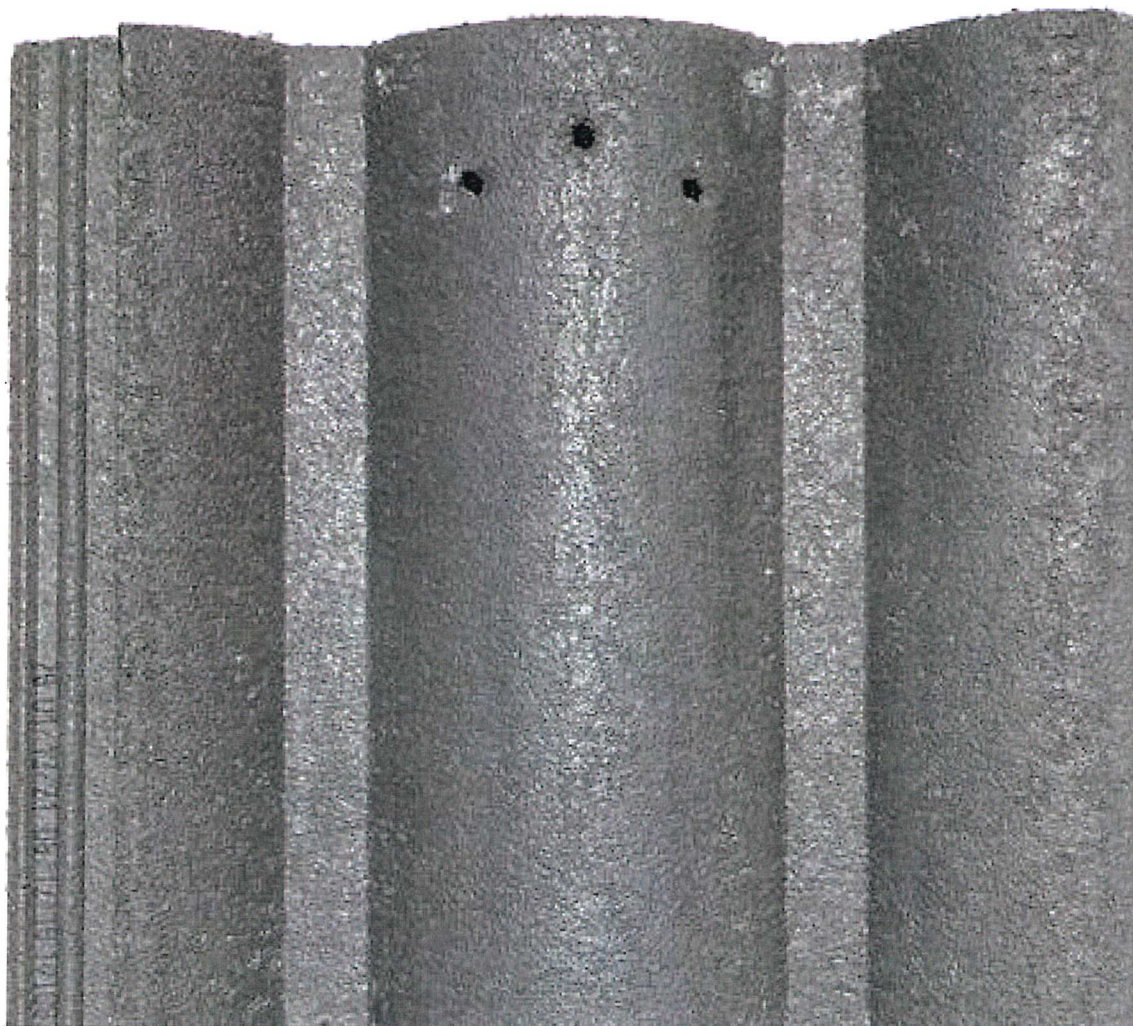
The Tapcon® Anchors with Advanced Threadform Technology for masonry construction, described in Sections 2.0 through 7.0 of the evaluation report ESR-1671, comply with the *Florida Building Code—Building* and the *Florida Building Code—Residential*, provided the design and installation are in accordance with the 2015 *International Building Code*® provisions noted in the evaluation report.

Use of the Tapcon® Anchors with Advanced Threadform Technology for masonry construction for compliance with the High-Velocity Hurricane Zone provisions of the *Florida Building Code—Building* and the *Florida Building Code—Residential*, has not been evaluated, and is outside the scope of this supplemental report.

For products falling under Florida Rule 9N-3, verification that the report holder's quality assurance program is audited by a quality-assurance entity approved by the Florida Building Commission for the type of inspections being conducted is the responsibility of an approved validation entity (or the code official when the report holder does not possess an approval by the Commission).

This supplement expires concurrently with the evaluation report, reissued September 2021.







Monier/Boral Villa

MONIER



Type: Dark Gray, Cobblestone

Elabana - Brown Blend

Elabana - Red (Weathered)

Brown (Weathered)

Gray

Dark Gray, Cobblestone

Prairie Green

Red Sky

Light Red (Weathered)

Red, Moab

Red (Weathered)

Red (Slurry Coat)

Red/Purple Blend (Weathered)

Price: \$12

Stock: In stock (505 units)

Quantity: 1

Item you want not in stock?

Call us at (303) 600-8696 or fill out the form below, there's a good chance we have the tile you're looking for!

Your name

Your email

Describe the tile you are looking to match

Attach sample tile photo here 

Choose Files

 No file chosen

Send message

Payment & Security







No stored credit card details

MAIN MENU

## Terms and Conditions





Exhibit 3



Communication: Z05737-052522 - Exhibit 3 - Existing Site Photos (Z05737-052522 Howard Street







Exhibit 4



RECEIVED  
MAY 25 2022  
BY: \_\_\_\_\_

Communication: Z05737-052522 - Exhibit 4 - Applicant Submitted Photos (Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) -





Communication: Z05737-052522 - Exhibit 4 - Applicant Submitted Photos (Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) -



## Exhibit 5

L<sup>2</sup>

## L SQUARED ENGINEERING

PO Box 225

Crossnore, North Carolina 28616

336-977-5212

June 10, 2022

John Winkler

215 Boone Heights Drive, Suite 100

Boone, NC 28607

Re: Exterior Finish  
Brick Building  
173 Howard Street  
Boone, NC

Dear Mr. Winkler:

In accordance with your request and authorization the undersigned engineer from L Squared Engineering (LSE) has observed the existing exterior finishes of the building at the referenced location. This report provides recommendations to enhance the exterior of the building.

Currently the building has an exterior of brick and concrete block. The brick at some locations have fragmented slightly but not to a point where they are unsightly. The following is recommended.

1. Cover the brick and block with a natural stucco. Do not use synthetic stucco.
2. You may use the materials for stucco application using the attached.
3. If you have any questions or comments regarding this report, or require any additional engineering services, it is recommended that you contact me at your earliest opportunity.

Sincerely,

L Squared Engineering

Laurence F. Lindsey, P.E.



Exterior Finishes  
Brick Building 173 Howard Street

1

June 10, 2022  
Boone, NC

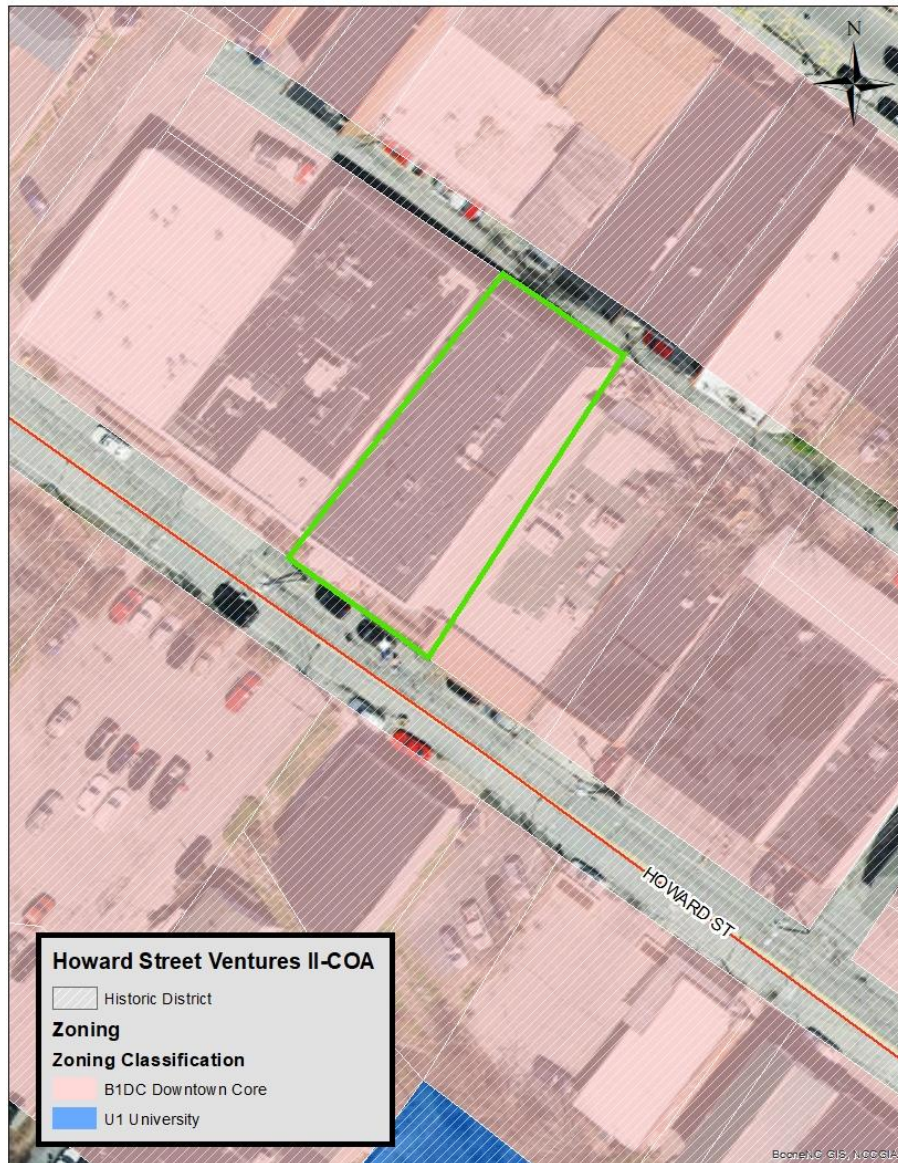




## STAFF REPORT

HISTORIC PRESERVATION COMMISSION, JULY 12, 2022

CASE Z05737-052522 – HOWARD STREET VENTURES, LLC (WILCOX WAREHOUSE) CERTIFICATE OF APPROPRIATENESS

**Request**

John Winkler on behalf of Howard Street Ventures II, LLC (Wilcox Warehouse) has requested a Certificate of Appropriateness for Major Work (COA) to repair/replace and modify the exterior facade at 161 Howard Street (Watauga County PIN 2900-79-8147-000). The applicant proposes to replace damaged stucco with natural stucco as well as repair the awning and roof.

Pursuant to the Town of Boone Unified Development Ordinance (UDO), Appendix D, Downtown Boone Local Historic District, specifically the section on COA Application for Major Work, a COA is required for pointing of masonry as well as alteration, repair, or replacement of masonry, siding, roofing materials, architectural trim elements, foundations, windows, doors, and other significant architectural details.

### Parcel Information

**Address:** 161 Howard Street  
**Property Owner:** Howard Street Ventures II, LLC  
**Watauga County PIN:** 2900-79-8147-000  
**Lot size (total):** .20 Acres  
**Jurisdiction:** Town of Boone  
**Access:** Howard St. (Town maintained)  
**SFHA:** No  
**Watershed District:** No  
**Corridor District:** No  
**NCD:** No  
**Viewshed:** No  
**Steep Slope:** No  
**Transitional Zone:** No  
**Current Zoning:** B1 Downtown Core, Downtown Boone Local Historic District Overlay

| Zoning & Use of Adjacent Properties |                                                          |                                                  |
|-------------------------------------|----------------------------------------------------------|--------------------------------------------------|
|                                     | Adjacent Zoning                                          | Adjacent Land Use                                |
| North                               | B1 Downtown Core, Downtown Boone Local Historic District | Retail, Government Facility                      |
| East                                | B1 Downtown Core, Downtown Boone Local Historic District | Restaurant                                       |
| South                               | B1 Downtown Core, Downtown Boone Local Historic District | Retail/Other Restaurant, Parking Lot             |
| West                                | B1 Downtown Core, Downtown Boone Local Historic District | Other Restaurant, Personal Service Establishment |

### History

**03/10/2022:** The applicant applied for and was issued a Zoning Permit for stucco repair.

**03/21/2022:** As project progressed, it was determined that the scope of the project warranted a Statement of Conformity. A Statement of Conformity was issued with the following conditions:

1. The work is limited to the work as listed within the “scope of work” narrative and Staff must approve any changes or additions before work begins. Work that is not completed in accordance with this Statement of Conformity may be subject to correction orders or citations.
2. The underlying historic masonry shall not be subjected to any additional damage or otherwise compromised in the course of the stucco replacement.

**04/2022:** During the course of repair, the applicant found that the brick facade behind the stucco had been damaged due to incorrect installation of the original stucco that they were attempting to replace was damaged and the work had to cease until they sought out a structural engineer assess the structural integrity of the brick.

**05/25/2022:** The applicant applied for a Certificate of Appropriateness to replace the exterior facade with a natural stucco over the existing brick and block as well as repair the awning and roof.

### Historic District Analysis

The following three documents are central to the Downtown Boone Local Historic District:

1. [Comprehensive Architectural Survey of Downtown Boone, NC – Final Report](#)
2. [Report and Recommendation for the Designation of the Downtown Boone Local Historic District, Boone, NC](#)
3. [Downtown Boone Local Historic District Standards](#)

The designation report (#2 above), was created using the architectural survey of the downtown area (#1 above) and recommended the Downtown Boone Local Historic District area be designated as a historic overlay district; and the Downtown Boone Local Historic District Design Standards, which are outlined in a separate document (#3 above), are to be applied by the HPC when it considers applications for Certificates of Appropriateness for proposed development within the historic district.

### INVENTORY CLASSIFICATION

The following information has been taken from the designation report starting on page 69. The property inventory found within the report was specifically written to assess the contributing significance and integrity of the district's resources. Integrity, as determined was based upon the following:

1. design integrity, meaning the building's relationship to its original appearance or altered appearance during the period of significance;
2. material integrity, meaning the building's relationship to original materials during the period of significance or replacement materials that mimic the appearance of original materials during the period of significance;
3. locational integrity, meaning the building's relationship to its original location during the period of significance;
4. integrity of association, meaning the building's relationship to its original or adapted use, function, and purpose during the period of significance; and
5. integrity of relationship to the district as a whole, meaning the building's historical importance to the development of downtown Boone's commercial district during the district's four periods of growth within the period of significance (1918-1964).

This ratio of parcels with contributing resources to the overall number of parcels in the district represents an unusually dense and rich collection of commercial, institutional, and residential buildings and/or structures with excellent to outstanding integrity as defined by the above criteria, thus illustrating the special significance of the district to the town of Boone in terms of its history and architecture. Taken together, these resources help to tell the story of the development of downtown Boone's commercial district through its four periods of growth within the period of significance. For these reasons, the district possesses outstanding integrity as a whole, which can only be improved as owners of individual resources continue to rehabilitate their properties and storefront configurations to their historic appearance.



### Inventory Classifications:

**CA:** Contributes to the character of the district based on architectural significance

**CH:** Contributes to the character of the district based on historical significance related to events or individuals associated with the property

**NC:** Non-contributing property

**VL:** Vacant lot

### DESIGNATION REPORT/ARCHITECTURAL SURVEY PROPERTY SUMMARY

The Designation Report summary is included on the right (in blue), and the full Architectural Survey summary is included below. The subject property is classified as “CH” meaning the property contributes to the district based on historical significance related to events or individuals associated with the property. The parcel has two entries in these reports for 161 Howard Street.

#### 1. **WT0602 Wilcox Drug Company Complex (1944, addition 1947), 161 Howard Street**

This is a survey update to a previous survey of this property completed in 2002. Previous surveys have incorrectly suggested that this complex originally consisted of three buildings. Additional research for this survey has determined that only the center and west buildings are originally associated with the Wilcox Drug Company. Accordingly, the building to the east of this complex has been separated and assigned its own survey number (WT0892). Furthermore, materials contained in the 2002 survey correctly indicate that the east building of this two-building complex located on the north side of Howard Street was originally built in 1944 (although the 1997 Study List application incorrectly states 1935). This building served as the new home of Wilcox Drug Company, which had been located on the south side of Howard Street in a frame warehouse no longer extant.

Previous surveys contained materials suggesting that Charles Wilcox added the warehouse building located to the west in 1950, but both the 1947 Boone Sanborn map and advertisements from that year suggest a completion date in 1947. In 1971, Charles Wilcox’s son Kenneth purchased an old tire company and furniture warehouse building immediately to the east (WT0892) to consolidate his holdings in the three-building complex, thus creating the errant assumption that the three buildings are historically associated with one another.

Control of this property by the Wilcox family first came in 1938, when Farmer’s Hardware Supply Company—owned and operated by D. L. Wilcox—purchased a large swath of land along the north side of Howard Street from Cora Councill (Deed Book 49, Page 43). This purchase, curiously, did not include the land where the west building of this complex sits. In February 1944, Farmer’s Hardware and D. L. Wilcox sold the parcel on which the east building sits to C. C. Wilcox (Deed Book 57, Page 327). Shortly thereafter, the Wilcox Drug Company announced plans to erect a new, two-story building of cinder block construction “for the needs of the root and herb business.” The contractor was W. C. Greene, who is associated with much of the building in Boone during

#### ***WT0892 Boone Tire and Bargain Store Warehouse (1944)—CH***

#### ***161 Howard Street (2900-79-8147-000)***

*Previously grouped with WT0602 to the west, this two-story, concrete block building was built separately as the new warehouse for the Boone Tire and Bargain Store (WT0861), located directly north on King Street and connected to this building by a frame sky bridge (no longer extant) across the alley between the buildings. Farmer’s Hardware took over the building as its own warehouse in 1947. The building was merged into the Wilcox Drug Company operations in 1971. As a result of this merger, this building and WT0602 were dramatically altered in 1985 to present a unified architectural appearance, eliminating many of the original features of the south elevation. Nevertheless, the building remains another example of warehouse architecture and function along Howard Street during the 1940s.*

this time (Watauga Democrat, April 20, 1944). The building was “practically completed” by August 1944 (Watauga Democrat, August 17, 1944).

The pre-history for the west building is a bit more complex and cloudy. Prior to C. C. Wilcox’s purchase of the land in 1945 (Deed Book 61, Page 70), the site was home to the Boone Woodworking Company, a frame structure owned by J. F. Sherrill. In 1941, Sherrill sold a 32’ by 62.5’ parcel at the rear of the lot to Wilson Brothers and Vannoy, an interior decor firm (Deed Book 54, Page 353). Boone Woodworking sold the building and relocated to the portion of Howard Street east of Depot in 1943, allowing Medgentra, Ltd., a shuttle block manufacturer, to take over the old space (Watauga Democrat, September 23, 1943). The end of World War II effectively meant an end to Medgentra’s business in late 1945.

Shortly after Wilcox purchased the Boone Woodworking property, he must have demolished the structure in order to build an annex for the Wilcox Drug Company building. In November 1947, the Watauga Co-Operative announced that it was moving into “the new building of the Wilcox Drug Company on Howard Street” (Watauga Democrat, November 20, 1947).

As noted in the previous survey documents, this complex has experienced vast changes since the 1950s, when a photo from that period (Warmuth, Boone, 77) showed the east and west buildings both as concrete block, two-story buildings. The east building at that time had two garage bays to the west side of the first floor of the south elevation, with several six-over-six, double-hung sash windows on the first floor surrounding a concrete stoop and a single doorway covered by a half-round wooden awning with brackets. The second floor had at least five unevenly spaced, six-over-six, double-hung sash windows on the south elevation. The west building, meanwhile, had a run of at least six one-over-one, double- hung sash windows on the second floor of its south elevation. Terracotta coping ran in one continuous line along the roofline of both buildings at that time.

Nothing much of this south elevation orientation survives today on either building. Many aspects of the current appearance were added in 1985, following the unification of this complex with WT0892 to the east in 1971. Following the sale of the Wilcox Drug Company (by then known as Wilcox Natural Products) in 1994, the entire set of three buildings was known as the Wilcox Emporium, a shopping complex with various specialized vendors. The east building of WT0602 now consists of multicolored, running bond, red brick with two prominent pilasters at its southwest and southeast corners. The low parapet roofline now rises slightly above the rooflines of the adjacent buildings and is adorned with a decorative frieze with a repeating run of laurel leaves, below which is a quadruple-tier corbel. Widely spaced dogtooth medallions, possibly in concrete, punctuate the space between a soldier band and the corbel, arranged in groups of five. Immediately below the soldier band are the second-floor windows, which now consist of four evenly spaced, two-over-two, double- hung sash, vinyl replacements with faux muntins, each with a rowlock sill. What appears to be an historic “Wilcox Warehouse” metal sign is visible at the center of the second-floor façade. A shed-style awning with supporting brackets and black terracotta shingles separates the first floor from the second floor. First floor elements on the south elevation of the east building include a large plate glass window with a sixteen-light faux muntin grid to the west end, followed to the east by two narrowly spaced, single, metal-frame doors with transom lights and a storefront window wall to the east of this that has a single, metal- frame door and two plate glass lights in a metal frame. The first floor is now reached from Howard Street via a double wooden staircase flanked by brick retaining walls with an iron handrail spanning the center of the staircase and iron balustrades on top of the retaining walls. A narrow concrete patio continues from the front of this east building onto the front of the west building.

The west, two-story building’s south elevation is now parged concrete block with terracotta coping (probably original), beneath which are eight evenly spaced dogtooth medallions, probably of concrete and painted orange. Six evenly spaced, two-over-two, double-hung sash, vinyl replacement windows with faux muntins dominate the west side of the second-floor façade, followed to the east by a gap of two window openings that appear to have been filled in and parged. A final window, identical to those elsewhere on this second-floor portion of the elevation, is located near the east edge of the south elevation of the west building. All have parged concrete sills. A shed-style awning with ornate brackets and black terracotta shingles covers most of this south elevation

between the first and second floors. The first-floor south elevation, moving west to east, features three fixed, single light, vinyl replacement windows, followed by a single, wood-paneled door; a single, vinyl replacement door; another fixed light vinyl window; a single, aluminum-frame door; and finally, a double, aluminum frame door with a single transom light. A planter box is located under one window at the center of the façade. Brick steps located at the center of the narrow patio and running parallel to the patio's brick retaining wall, descend to the east to provide access to this building's patio. An iron balustrade runs the full length of the patio. A brick planter is located near the west end of the west building's south elevation.

Adjoining buildings obscure the east and west elevations of the east building and the east elevation of the west building. The west elevation of the west building has an odd, parged quoin treatment at the southwest corner, with a stepped, low parapet roof descending to the rear (north elevation), capped with terracotta coping. Three evenly spaced, six-over-six, double-hung sash, vinyl replacement windows with faux muntins and concrete sills are visible on the second floor, oriented toward the south side of the elevation. The wall of the west elevation is six-course, common bond brick that has been painted and suffers badly from spalling. A concrete foundation is visible on this elevation. Various mechanicals are located on the first floor of this west elevation as well, as is a metal door with a small, single, upper light located at the center of the elevation.

The north elevation of the west building continues the painted brick of the west elevation and features five vinyl replacement windows of various faux muntin orientations and concrete sills on the second floor. The second window from the west appears to have filled a much larger window or door opening that has been partially bricked in. A metal door with a single light and concrete lintel is located on the east side of the first floor, with a mishmash of window configurations to the west of that, including several bricked in window openings. The north elevation of the east building bumps out to the north substantially, revealing a featureless, painted concrete block wall to the west. The north elevation itself is painted concrete block. The first floor offers a double metal door, with another single door to the east. At least two former window openings have been filled with concrete block. Metal doors also fill what appears to be a former garage bay at the west end of the first floor. The second floor offers three sets of alternating one-over-one, double- hung sash metal windows and smaller two-over-two, double-hung sash, vinyl replacement windows with faux muntins and concrete sills. A fourth set at the east end of the second floor has been concrete blocked in.

In 1990, the Wilson Brothers and Vannoy frame building at the north end of the west building was demolished (Watauga Democrat, November 19, 1990).



## 2. WT0892 Boone Tire and Bargain Store Warehouse (1944), 161 Howard Street

While this building was originally grouped with the Wilcox Drug Company (WT0602) in previous surveys, additional research for this survey has determined that this building was constructed distinctly from WT0602 and served a different purpose with different tenants for many years. Accordingly, it has been separated from WT0602 and assigned its own survey number.

Built on land purchased by D. L. Wilcox and Farmer's Hardware Supply Company in 1943 (Deed Book 56, Page 543), this two-story, concrete block building was erected in 1944 as the new warehouse for the Boone Tire and Bargain Store (WT0861), located to the north of this building and fronting on West King Street (Watauga Democrat, December 7, 1944). As seen on the 1947 Sanborn map, a frame sky bridge (no longer extant) actually connected the second floor of the warehouse to the first floor of the Boone Tire and Bargain Store on West King. The following year, Farmer's Hardware announced that it had taken over the building as its own warehouse (Watauga Democrat, March 11, 1948), an arrangement that continued until 1971, when C. C. Wilcox consolidated this building with his Wilcox Drug Company (WT0602). No known, early images exist showing the entire south elevation, but an early 1950s image by Palmer Blair (Pal-Bla-04-104) shows six symmetrically spaced, six-over-six, double-hung sash windows on the second floor of the south elevation and no windows along the east elevation. This configuration was altered dramatically in 1985, when Kenneth Wilcox had the two buildings of WT0602 and this building remodeled to present a unified architectural appearance.

The south elevation of this building is today a near duplicate of the south elevation of the west building of WT0602, except that the façade plane is not uniform and bumps back slightly near the west edge of the building. It's possible that this west portion of the south elevation is actually part of the east building of WT0602, with the current appearance designed to make the division among the three buildings appear to be symmetrical. Copping is of metal rather than terracotta. The shingles of the shed-style awning on WT0892 are wood rather than terracotta, and the awning features a decorative, sawtooth fascia board not found on the other awnings of WT0602. It appears that a window at the west edge of this building's first floor on the south elevation has been filled in and parged over. To the east of this is a one-over-one, double-hung sash, vinyl replacement window, to the east of which is a large, sixteen-light, vinyl replacement window like that found on the west building of WT0602. A double-door entrance at the center of the first floor of this elevation consists of wood doors with fifteen lights and a single-light transom. Another one-over-one, double-hung sash, vinyl replacement window completes the first floor of the south elevation of WT0892. The second floor offers six

---

### *WT0602 Wilcox Drug Company Complex (1944, addition 1947)—CH* *161 Howard Street (2900-79-7282-000)*

*The east portion of this complex was built in 1944 to serve as the new home of the Wilcox Drug Company, which had long been in operation in a frame warehouse building on the south side of Howard Street. Contractor W. C. Greene erected the two-story, cinder block warehouse building, which served as the home for Wilcox Drug Company for decades and was once home to the largest US exporter of ginseng and other medicinals during the 1970s. In 1947, Wilcox Drug Company added the concrete block, two-story annex to the west, located on the old side of the Boone Wordworking warehouse. In 1985, a dramatic alteration of both buildings and WT0892 to the east resulted in the present configuration of the south elevation, which largely obscured the original appearance of the complex. Nevertheless, the building remains another example of warehouse architecture and function along Howard Street during the 1940s and remains significant for its association with Boone's twentieth century ginseng trade.*

---

symmetrically spaced, two-over-two, double-hung sash, vinyl replacement windows with faux muntins, each of which is ill-fitted to the original piercing. Five evenly spaced, dogtooth medallions are visible above the second floor windows. As on the other buildings of WT0602, a brick retaining wall supports a narrow porch area on the first floor, which is of wood. Iron balustrades run the length of the porch, while a staircase at the west end rises to the porch in front of the east building of WT0602.

The west elevation of the building is obscured entirely by WT0602. The north elevation of the WT0892 reveals partially parged concrete block, with numerous former window openings that have been blocked in with concrete block (unparged). Two widely spaced, single, metal doors are visible on the first floor, while the second floor features two one-over-one, fixed, metal windows with concrete surrounds. On the east elevation, only the second floor of WT0892 is visible. This reveals concrete block with five one-over-one, fixed, metal frame windows with concrete sills. Coping is metal on the stepped parapet roofline. This elevation has also been only partially parged near its south end.

### DESIGN STANDARDS

Applicable design standards from the Downtown Boone Local Historic District Design Standards and Handbook, UDO Appendix D, are included below.

#### ***Standards for Commercial Properties Within the District, Commercial Properties Within the District***

...

##### ***1. Storefronts, Upper Facades, Side Elevations, and Rear Elevations, [Design Standards p. 62-68]***

Downtown Boone is dominated by historic properties that reflect the commercial block architecture that was so common and influential during the period from 1910 to 1960 in many American towns and cities. In the case of the District, commercial block development began around 1919 and continued to the early 1960s. Central to this architecture is the importance of the storefront itself, whose familiar architectural details—large display windows, transom bars and windows, clerestory recessed entries, and prominent cornice and corbelling work—frequently signaled to customers not only the function of a business but also the quality of its wares. Many other elements—including projecting, flat awnings anchored to the façade with cables or steel rods, or fabric awnings amounted on metal frames, hinged or unhinged—provided customers with shelter from the elements while window shopping or otherwise enhanced the shopping experience. After 1950, many of these architectural details were removed, either in response to decay of these features or in an effort to “update” a building to the stylistic preferences of a later time. One such example is the Appalachian Theatre on West King Street, whose original Art Deco marquee and structural glass were removed during the late 1970s in response to safety concerns. Other elements—most notably transoms and clerestory windows, as well as the details of upper facades—were simply covered over and may still survive today underneath modern additions to the facades of many of Boone’s historic downtown properties in the District.

...

In an effort to preserve what remains of the District’s historic commercial architecture and encourage the reconstruction or rehabilitation of elements that have been removed or covered over, the standards for storefronts, upper facades, and other elevations are intended to facilitate preservation and reconstruction wherever possible while also addressing new construction and its compatibility with the rest of the District.

- 1.1** Whenever possible, historic storefronts and storefront features such as entrance configurations, display windows, doors, clerestory windows, transom bars and windows, bulkheads, corbelling, cornice work, windows, stonework, stringcourses, structural glass, and other architectural flourishes should be retained and preserved. When repairing these features, retain and preserve in place original elements as much as possible. If repair is not possible, replace damaged elements with materials that match the originals in composition, design, texture, color, and other visual qualities.

- 1.2 When reconstructing an historic storefront, upper façade, or other elevation, use historical research and evidence as the basis for the design. Reconstructed storefronts should incorporate original dimensions, proportions, and architectural elements.
- ...
- 1.4 When original or early storefronts or upper facades no longer exist, are too deteriorated to save, or cannot be reconstructed based on the available documentary evidence, retain the commercial character and any salvageable architectural details through a contemporary design that is compatible with the scale, materials, color, style, design, and texture of the surviving and surrounding historic buildings.
- 1.5 Original upper facade windows should not be removed and replaced with modern materials, nor is the enclosing or bricking in of upper façade windows appropriate. When upper floor windows must be replaced, use new windows that match the original windows in configuration, appearance, and materials.
- 1.6 It is never appropriate to cover an historic upper facade. Whenever possible, non-historic coverings of upper facades, including metal, stucco, or faux mountain village fronts and porches, should be removed and underlying original architectural elements repaired and restored.
- ...

## **2. Architectural Components and Details, [Design Standards p. 68-69]**

Exterior architectural components, including door and window casings, storefront configurations, cast iron ornamentation, stone relief, cornices, columns, brackets, porch railings, soffits, fascias, roof configurations, trim details, architectural flourishes, and various joinery and surface patterns all contribute significantly to the character and historical integrity of properties located within the District. Because many of these components are either irreplaceable or very expensive to reproduce, they should be maintained and valued in the same way that one might consider an important family heirloom or expensive antique furniture. In many cases, missing or damaged architectural details can be replaced with like items from salvage yards, antique shops, or mail order companies that specialize in replacement of historic architectural components. If such items cannot be replaced, many construction supply companies stock simulations of period architectural components that are approved by the Secretary of the Interior and the National Park Service as suitable historic replacements. In any event, before replacing any exterior architectural component, property owners should familiarize themselves with the architectural style and historic characteristics of their building to avoid introduction of inappropriate elements.

- 2.1 It is important to preserve character-defining, historical, architectural features of exterior walls, such as cornices, friezes, medallions, sunbursts, brackets, bays, turrets, fascias, quoins, columns, brickwork, string courses, and decorative moldings. Original architectural details should always be retained if structurally feasible, even if portions of the original material are damaged or deteriorated to a point requiring replacement. If original details are missing, design replacement features based on historic photos and other documentation.
- 2.2 It is NOT appropriate to cover or remove rather than repair or replace in kind such features when they are deteriorated. If replacement is necessary, the new materials should match the materials being replaced in composition, design, texture, color, and other visual qualities. Original architectural features that are covered should be uncovered, exposed, repaired and/or restored, and maintained.
- 2.3 It is NOT appropriate to cover or replace historic materials with substitute materials, such as aluminum, vinyl, fiber cement board siding (or similar materials simulating the appearance of wood), or plywood panels. Architectural details that are not appropriate to the historic context and



character of a building should never be added. At the same time, property owners should never use details from an earlier period to try to make a building look older than it is.

- 2.4 Historic architectural metals, such as pressed tin, aluminum, and cast or wrought iron, should always be retained. If these items are not repairable due to rust or other deterioration, replacement materials should duplicate the form, details, texture, material, size, shape, color, pattern, and composition of the original. When cleaning of architectural metals is necessary, use the gentlest methods possible, such as water, a gentle, non-caustic soap, and soft bristle brushes.

#### **4. Masonry, [Design Standards p. 70-74]**

Many commercial properties in the District are composed of brick or stone masonry, and it is imperative that original masonry materials—many of which have a weathered appearance reflecting the history of the building—remain preserved whenever possible. For this reason, masonry should never be cleaned unless it is determined that perceived “dirt” is actually accumulated deposits and not the effects of weathering. If cleaning is pursued, always use the gentlest method available, preferably with lowpressure water, a mild, non-caustic detergent, and a natural bristle brush where needed. In addition, while re-pointing is sometimes necessary when mortar is missing or moisture problems have developed, it should only be completed in a manner that avoids smearing the mortar onto the surface of the masonry. Terracotta, stucco, and concrete are other masonry elements that are occasionally found on historic commercial properties in Boone. In addition, many historic commercial properties feature chimneys, arches, quoins, lintels, sills, cornices, corbelling, and pediments that are all essential to the historic character of the building in question.

Terracotta, stucco, and concrete are other masonry elements that are occasionally found on historic commercial properties in Boone. In addition, many historic commercial properties feature chimneys, arches, quoins, lintels, sills, cornices, corbelling, and pediments that are all essential to the historic character of the building in question.

- 4.2 Whenever feasible, historic masonry, including decorative masonry features, should be repaired rather than replaced or covered. When replacement is necessary, it should always be completed using traditional materials of like composition, size, color, shape, pattern, texture, and quality to the originals that are being replaced.
- 4.3 Re-pointing of masonry should also be completed using materials that duplicate the existing mortar in appearance, texture, and color. Colored sands or mineral-pigmented mortar can be used to achieve a match with the existing mortar. Portland cement should be avoided in mortar, as it may produce a mortar that is stronger than the surrounding masonry, potentially causing the masonry to crumble.
- 4.4 Unless there is a specific reason for using waterproof or water-repellent coatings (e.g., brick that has previously been sandblasted, creating a porosity problem), these treatments should be avoided, as they can accelerate deterioration of historic masonry.
- 4.5 When repairing or replacing masonry or mortar, take care to maintain the alignment, bond pattern, joint spacing, color, texture, and size of the original masonry.
- 4.6 Unless there is historic precedent for its use on the building in question, stucco should never be applied to existing masonry walls, as it can trap moisture that accelerates the deterioration of the masonry. If historic stucco is being repaired, the stucco mixture should duplicate the original appearance, color, and texture as closely as possible.
- 4.7 Masonry should never be treated with abrasive stripping methods, sandblasting, or high-pressure water cleaning, as these methods almost always immediately damage the “skin” of the brick and the mortar joints, and they can make the masonry more susceptible to spalling, or flaking of the masonry surface as a result of the introduction of moisture. Masonry should only be cleaned using the gentlest

method available, including low-pressure water, soft natural brushes, and, if necessary, non-abrasive, non-toxic chemicals that will not damage the masonry being treated.

...

**4.10** Proper maintenance of masonry is essential to its long-term survival. Property owners should conduct periodic checks for moisture problems and cracking, and they should remove any vegetation that adheres to masonry (such as ivy and other vine plants) or that hinders ventilation and drainage around masonry elements. Vegetation should never be sprayed with defoliants, pesticides, or other harsh chemicals. Please consult with the Planning and Inspections Department for guidance on removal of vegetation on masonry.

**4.11** Spalled masonry should never be repaired using cement infills or other patchwork repairs that will only further degrade the historic materials and alter the historic appearance of the building. Instead, spalled or delaminated bricks should be replaced with a similar brick stock or salvaged historic brick that matches the original in color, size, and appearance. New mortar joints should match the originals in color, composition, texture, and method of application.

#### **6. Windows, Doors, and Awnings, [Design Standards p. 76-85]**

The arrangement of doors and windows on an historic property is one of the most important elements of building design. It is imperative that these arrangements be preserved in order to maintain the integrity of individual historic properties and the integrity of the District. Because older windows and doors were not always designed with heating and cooling efficiency in mind, it is often tempting to property owners to replace these features with modern doors and windows. Despite the apparent advantages of doing so, replacement with modern doors and windows is often far more expensive than repairing existing historic doors and windows, and their use often completely destroys the integrity of the historic property in question. Furthermore, many companies are now producing “modern” wood replacement windows that replicate the appearance of their historic antecedents with fixed muntins but feature double-pane glass to assist with heating and cooling efficiency. The HPC reviews proposals for the use of modern wood replacement windows carefully to insure that muntin thickness aligns with the muntin dimensions of historic windows.

Boone’s downtown commercial historic district has also suffered from the installation of various architectural elements designed to simulate a “mountain village” appearance. These typically consist of large, wooden porch attachments or awnings that are not historically appropriate to the downtown area and its historic context. Metal and modern vinyl awnings have also appeared on some properties, disrupting the integrity of many of Boone’s historic commercial properties.

**6.1** The pattern, arrangement, location, size, and shape of windows and doors contribute significantly to a building’s historic character, and their consistency within the district helps unify the buildings in context to one another. For this reason, it is always preferable to repair damaged windows and doors rather than replacing them. Furthermore, it is imperative that the fenestration pattern of the door and window openings on the building and of the doors and windows themselves (muntin width, number of lights per sash, etc.) be maintained when repairs to or replacement of elements is underway. It is never appropriate to introduce new features, such as vents, bays, windows, or door openings, in exterior walls if they diminish the historic character of the wall or damage historic materials.

...

**6.6** In cases where historic windows are deteriorated or damaged beyond repair, replacement windows on historic properties must match the original, historic window casings, sash details, and muntin divisions. In most cases, this will mean the use of true, divided light sashes, rather than sashes featuring simulated divided lights. Grids between glass (GBG) windows, vinyl replacement windows,

and windows made of fiberglass, aluminum, or other materials that are incongruous to the District are not permitted. For new windows in new construction or an addition to an historic property, new windows may use simulated divided light sashes (with muntins permanently attached to the interior and exterior of the window panes and a matching space in between the glazing) that approximate the general appearance of windows in other residential properties in the District.

...

**6.11** Awnings, porches, shed roof porticoes, and arcades that attempt to create a “mountain village” appearance or that are not historically accurate to the District’s historic context only work to damage the integrity and appearance of the District. Property owners whose buildings possess such features should endeavor to remove them and restore the facade of their property to its historic appearance. Such “mountain village” treatments should never be incorporated into additions or new construction within the District.

**6.12** Awnings installed on properties in the District should always be historically appropriate based on available photographic and historical documentation demonstrating the historic presence of such an awning on the property in question. Awning styles with no documented historical precedent should never be added to properties in the District. For example, properties that historically possessed flat awnings anchored by cables or steel rods should retain these kinds of awnings. In cases where they have been removed, and particularly in cases where they have been replaced with modern, clamshell, half-round, or vinyl awnings or awnings that are historically inappropriate to the building, property owners should endeavor to remove the modern feature and restore the original awning configuration with appropriate materials based on historical documentation for that particular building. Another common, historic awning type in the District was the metal-frame, sloped, fabric awning that was sometimes retractable. New sloped awnings should be composed of canvas or acrylic, and never of vinyl. Metal and shed roof awnings are never appropriate, except for historic properties erected after World War II that historically had metal or shed roof awnings at the time of their construction. Awnings should never obscure vital architectural components of the original building. Awnings on new construction or additions should also be historically appropriate to the District and not feature configurations that distract from the historical integrity and continuity of the District.

**6.13** Awnings on windows, entryways, and porches should be appropriate in design, proportion, scale, and color to the architectural style and period of the property. Window awnings should be mounted within the window or entry opening, directly on the frame. If this is not possible, they should be attached just outside the opening. If attached to a masonry building, all awning attachments should be made in mortar joints and never in the brick itself.

...

## **7. Roofs, [Design Standards p. 85-90]**

Among the most significant and important of the distinguishing characteristics of historic properties are the roof form and pitch, which are often essential to identifying the architectural style of a building. For this reason, it is imperative that every effort be made to preserve and maintain the original roof configuration and materials on historic properties, including dormers, turrets, balustrades, parapets, etc. While historic roofing materials should always be preserved whenever possible—especially if they consist of specialty roofing materials such as slate or tile—many roofing elements will require replacement due to deterioration and age. Many of the commercial buildings in the District originally featured flat or gently sloping roofs behind a parapet wall along the primary elevation and sometimes the secondary elevations.

Exterior architectural components, including door and window casings, storefront configurations, cast iron ornamentation, stone relief, cornices, columns, brackets, porch railings, soffits, fascias, roof configurations, trim



details, architectural flourishes, and various joinery and surface patterns all contribute significantly to the character and historical integrity of properties located within the District. Because many of these components are either irreplaceable or very expensive to reproduce, they should be maintained and valued in the same way that one might consider an important family heirloom or expensive antique furniture. In many cases, missing or damaged architectural details can be replaced with like items from salvage yards, antique shops, or mail order companies that specialize in replacement of historic architectural components. If such items cannot be replaced, many construction supply companies stock simulations of period architectural components that are approved by the Secretary of the Interior and the National Park Service as suitable historic replacements. In any event, before replacing any exterior architectural component, property owners should familiarize themselves with the architectural style and historic characteristics of their building to avoid introduction of inappropriate elements.

- 7.1** Significant changes to roofs of historic properties are not permitted, including the raising or lowering of pitch, the removal or alteration of widow's walks, dormers, turrets, balustrades, bargeboards, quarter round, cornices, corbelling, parapets, coping, dentil moldings, brackets, eaves, rafter tails, weather vanes, or lightning rods, the cutting back of roof overhang, and the replacement of historic roofing materials with modern materials that do not replicate the original appearance of the historic property's roof. Open rafter tails and similar roof trim elements should never be obscured by boxed soffits or similar treatments. Specialty roofing materials, such as tile or patterned slate, should never be replaced with composition shingles. Original roofing materials should never be covered or replaced with a different type of roofing material, such as installing a standing seam metal roof over a slate or asphalt shingle roof.
- 7.2** Whenever possible, deteriorated soffits, fascia, moldings, brackets, eaves, rafter tails, cornices, coping, and other important roof components should be repaired. If replacement is necessary, it should be completed using historic materials if possible, and at minimum with equivalent materials that replicate the appearance, configuration, size, scale, and composition of the original historic materials. Underlying roofing components are just as important. For example, tongue-and-groove soffit lumber should never be replaced with plywood, and whenever possible, damaged or deteriorated roof decking should be replaced with similar materials rather than modern materials that are not historically appropriate to the building.
- ...
- 7.6** Deteriorated roof coverings should be replaced with materials that are compatible with the old in composition, size, texture, pattern, and color once the structural integrity of the roof decking is assured. If at all possible, the use of historic replacement materials for slate, clay tile, terra cotta, pressed metal shingle, and wood shingle roofs is always preferred over new materials. Unless historically appropriate to the building in question, or unless totally obscured by street view by parapets, white or very light roofing materials are not permitted. Exposed tarpaper rolls are never permitted as a roofing material.
- 7.7** Historically appropriate metal gutters, downspouts, and other drainage devices are common on historic properties and should always be retained whenever possible, as they provide important protection for both the roof and the foundation of the property. Built-in gutters that are an important part of the architecture of the building should always be repaired rather than replaced if they become deteriorated. When metal finishes must be replaced because of rust or other deterioration, replace ONLY deteriorated material or detail with new materials that match the previously existing historic material in composition, size, shape, texture, pattern, color, and detail. Replacement gutters and downspouts should never conceal or interfere with architectural trim details. It is not appropriate to paint metal finishes, such as metal downspouts or copper trim, if these items were historically unpainted.
- ...

- 7.9** Roof coping on commercial buildings with original flat roofs was typically made of terracotta tile. Modern coping systems that are often used in conjunction with rubber membrane roofs, especially if they employ metal coping in a color that contrasts with the masonry walls they cover, are inappropriate.

**9. Paint and Paint Color, [Design Standards p. 92-94]**

For most of the District's historic commercial properties, which typically were made of masonry and rarely painted, determining historic paint colors, except on trim, ornamentation, windows, original stucco walls, or other architectural details, is usually not a problem. While color chronology tests can help to determine original paint colors (contact the State Historic Preservation Office for assistance), this process is difficult, sometimes inconclusive, and often expensive.

While the HPC does not regulate paint colors in the District per se, property owners are required to submit proposed paint samples as part of any COA application and seek guidance from the HPC and/or the State Historic Preservation Office when considering paint schemes for historic properties. Nevertheless, paint colors and applications must comply with all other general requirements outlined in the Town of Boone UDO. Beyond this, some general standards are applied by the HPC when considering paint in relation to historic properties.

- 9.1** It is NOT appropriate to apply paint or other coatings to unpainted wall materials and surfaces/finishes that were historically left unpainted, including masonry, stonework, wood shingles, stained wood surfaces, and metal.

...

- 9.3** Select paint colors that are appropriate for the building's architectural style and that are complementary to neighboring buildings. In general, color should function as a method of contrasting among different materials and architectural elements that make up the building. Contrasting colors that accent architectural details and entrances are discouraged, however, except in those cases where this design element was common to the historic architectural style of an existing historic property and there is historic precedent for such accenting.

**12. Additional Standards on Artificial Materials, [Design Standards p. 96-97]**

While most of the historic properties in the District were built using traditional materials (such as kilned brick, wood trim, structural glass, and native stone), over the years, some properties have been covered with aluminum, vinyl, asbestos, plywood, parging, modern brick veneers, simulated stone, pre-formed concrete panels, cast concrete patterned to look like stone or brick, or other non-traditional materials. Due to the loss of both historic character and original materials inherent in the application of such substitute materials, the damage caused during installation, and the potential for undetected insect infestation and moisture damage, the practice is not acceptable for a historic property in the District.

- 12.1** The removal of previously installed substitute materials of all types is strongly encouraged.
- 12.2** Previously installed vinyl windows and snap-in muntins are examples of inappropriate replacements for wood windows and should also be removed and replaced with more historically appropriate materials whenever possible.

**CONFORMITY TO ADOPTED PLANS**  
**COMPREHENSIVE PLAN UPDATE**

**1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):**

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

**Economic Development:** Acknowledge the area’s natural beauty, university, and medical center presence as the Town’s greatest assets for economic development and jobs creation. Treat them accordingly.

**Community Appearance and Community Character:** Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and “cheap” apartment buildings.

**Open Space:** Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

**Environmental Quality:** Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

**Trees:** Conserve existing trees and plant new trees, especially hardwoods.

**Automobile Transportation:** Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

**Bikeways:** Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

**Mass Transit:** Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

**Pedestrian Movement:** Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

**Infrastructure:** Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

**Public Safety:** Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

**Energy and Waste:** Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

**University:** Emphasize cooperative planning among the Town, County, and University.

**Downtown:** Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

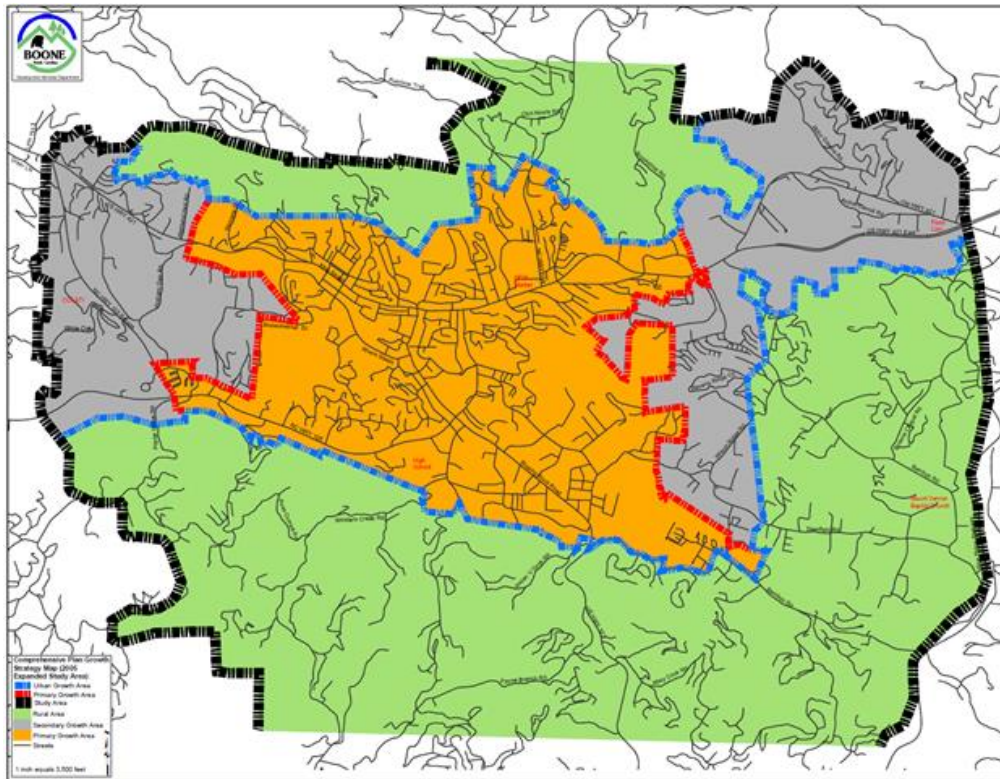
**Recreation:** Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

**Neighborhoods:** Ensure the livability of neighborhoods, especially through land use and traffic planning.

**Public Involvement:** Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

**1.2 Growth Strategy Map (p. 17):** This development is located within the Primary Growth Area as shown on the Growth Strategy Map. The Primary Growth Area is that portion of the urban growth area where urban levels of facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged. See Growth Strategy Map below:





## 2.0 Policies for Growth and Development (P. 18-77)

Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Board should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

### 2.1 THE ECONOMY (p. 19)

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long-term component of an economic development strategy.
- B. New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.
- C. The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.
- G. The Town shall support the development of new business parks.

- H. The Town shall promote coordination of economic development resources with the appropriate institutions and agencies. Regional coordination and interaction among areas with a shared economic interest shall be encouraged.
- I. Small business start-ups, expansions and spin-offs shall be encouraged. The presence of ASU and Caldwell Community College and Technical Institute shall be recognized as a necessary and important resource for area businesses.
- J. Appropriate educational and training programs shall be encouraged to help local residents, especially those unemployed and underemployed, take advantage of business expansion and to develop new skills.
- K. Boone shall identify and provide services consistent with the needs of the area's growing retiree population.

#### **2.1.5 Downtown**

- A. A compatible design character for the downtown area, drawing upon the locality's original High-Country small-town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.
- B. The Town, in concert with the downtown property owners and merchants, shall encourage public and private efforts to develop and publicize adequate and appropriately designed off-street parking lots in the downtown area.
- C. A variety of mutually compatible and supportive mixed uses shall be encouraged in the downtown area.
- D. Public and private developments shall be encouraged to incorporate local artistry into public and semi-public spaces downtown.
- E. Public and private development decisions in the downtown area shall exhibit a special concern for maintaining the intensive, pedestrian oriented character of the district.
- F. The maintenance and revitalization of downtown Boone, as well as planning for its future development, will reflect the realities and qualities befitting its geographical setting and function as a center of (1) commercial and service activities, (2) educational and cultural activities, events and (3) public services.

#### **2.3 THE COMMUNITY (p. 60).**

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.
- C. Funding for outside agencies and organizations serving the citizens of Boone shall continue to receive support consistent with area service needs and Town budget constraints.
- D. Coordinated inter-governmental and university-town planning for urban area land use and development, transportation, utilities, recycling, environmental management, law enforcement, education, recreation, tourism and economic development shall be encouraged.

#### **2.3.2 Community Character (p. 67)**

- A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.

- B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
- C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
- D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High-Country small town.

### 2.3.4 Public Involvement

- A. Public involvement shall be encouraged in decisions concerning land use and development by making the public aware of proposed developments at the earliest opportunity, as well as fostering communication among developers, the Town, the County, the University, and the general public. \*\*\*\*
- B. Neighborhood and special area planning shall be encouraged to foster public involvement in the production of closely tailored, action oriented special area plans and programs.
- C. Specific functional plans and implementation tools shall be supported as part of the comprehensive planning program for the Town and County.
- D. Special committees, advisory panels, educational forums, public workshops, leadership seminars, town meetings and media contacts shall be encouraged and fostered to enhance the effectiveness of citizen involvement in community planning and action.

### Conditions of Approval

The following conditions are automatically included and a part of any approval.

- Where there is a conflict between the application information and the plans (May 25, 2022), the plans control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
- Any commitments and representations concerning the proposed exterior modification made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
- The applicant shall submit the necessary applications, plans, details and specifications which meet the requirements of the Town Code, UDO, Building Code and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

The Commission may issue approval subject to reasonable conditions necessary to carry out the purposes served by the historic district (see G.S. 160D-940, 160D-947(a)):

1. Condition (as warranted) ...

### Historic Preservation Commission Procedure

#### Congruity with the historic district

The question before the Historic Preservation Commission is whether or not the proposed exterior modification is incongruous (i.e., not in agreement, not in harmony) with the special character of the historic district. If the



proposed exterior modification is not incongruous, the Commission shall issue the requested COA. If the proposed exterior modification is incongruous with the special character of the historic district, the Commission shall deny the requested COA. The Commission shall approve or the deny the COA by majority vote.

The Commission may issue a COA subject to reasonable conditions necessary to carry out the purposes of the historic district. In this connection, the purposes of the historic district are to (i) safeguard the heritage of the town insofar as the Historic District embodies important elements of the town's culture, history, architectural history, and/or prehistory, and (ii) to promote the use and conservation of the district for the education, pleasure, and enrichment of the residents of the town and/or the State as a whole, See G.S. §160D-940, 944, 947(a).



Figure 1. Frank Jones, "Von Hagaman Delivering Mail," Digital Watauga, accessed June 28, 2022, <http://digitalwatauga.org/items/show/5841>.



Planning Staff has zoomed on Figure 1. above to show the property in question.

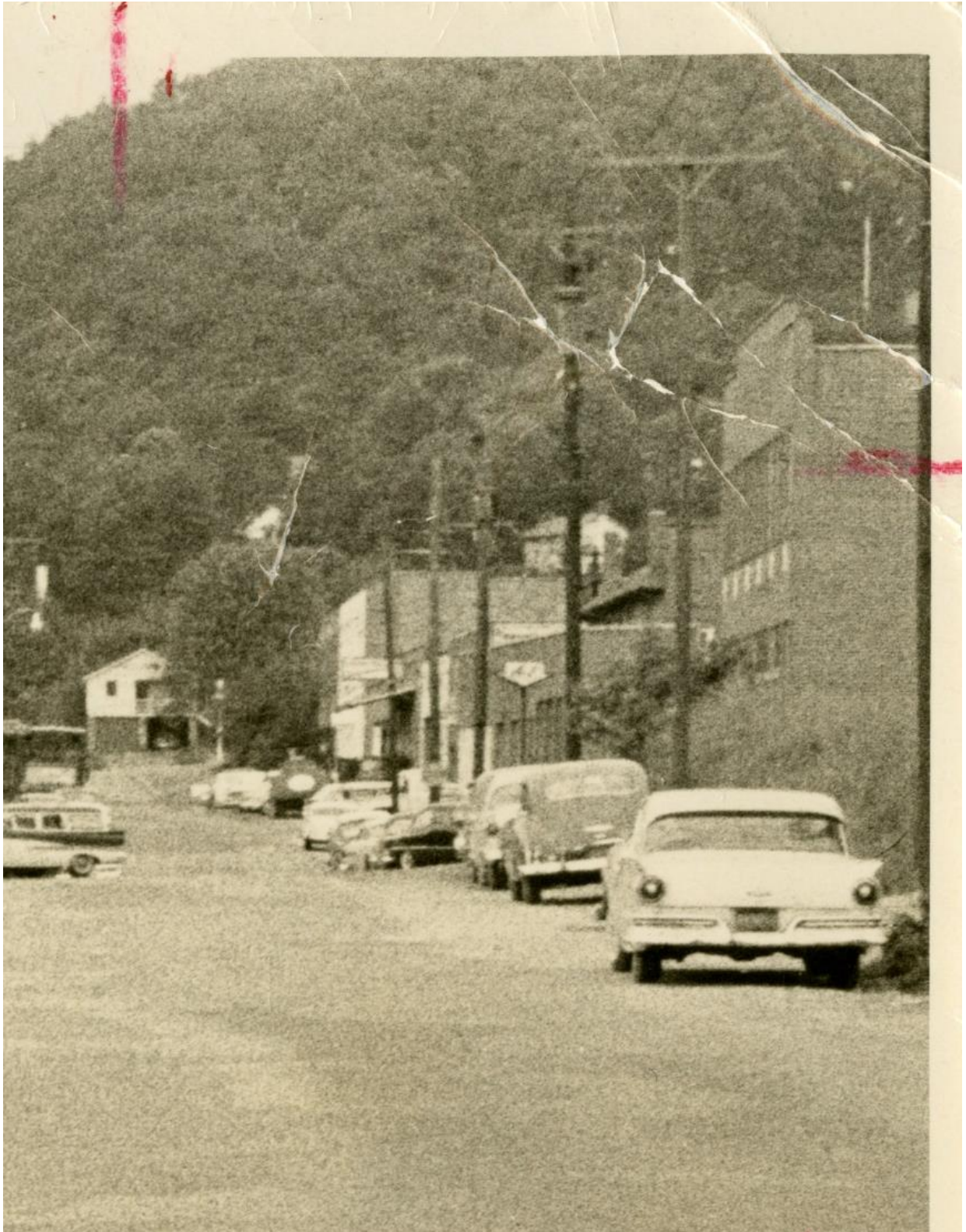


Figure 1. Frank Jones, "Von Hagaman Delivering Mail," Digital Watauga, accessed June 28, 2022, <http://digitalwatauga.org/items/show/5841>.





Figure 2. Palmer Blair, "Aerial View of Boone from the Southeast, 1950," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/6030>.

Planning Staff has zoomed on Figure 1. above to show the property in question.



Figure 2. Palmer Blair, "Aerial View of Boone from the Southeast, 1950," Digital Watauga, accessed June 28, 2022, <https://digitalwatauga.org/items/show/6030>.