

**TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING AND PLANNING COMMISSION MEETING MINUTES
MONDAY, MARCH 24, 2025, 6:00 PM
1500 BLOWING ROCK ROAD AND VIA WEBEX SOFTWARE**

COUNCIL MEMBERS PRESENT: Mayor Tim Futrelle, Todd Carter, Eric Plaag, Virginia Roseman (via WebEx at 6:30 p.m.), and Edie Tugman

COUNCIL MEMBERS ABSENT: Mayor Pro Tem Dalton George

PLANNING COMMISSION MEMBERS PRESENT: Adrian Tait-Chair, Frank Veno-Vice-Chair, Chris Behrend, Garrett Kight, and Anne Pruitt

PLANNING STAFF PRESENT: Brandon Wise-Deputy Director of Planning & Inspections, Amy Snider-Commercial Zoning Administrator, Christy Turner-Residential/Sign Zoning Administrator, and Brenda Henson-Board Clerk

Call to Order

Mayor Futrelle called the Town Council to order at 6:06 p.m. Chair Tait called the Planning Commission to order at the same time. The meeting was held in the Town Council Chambers at 1500 Blowing Rock Road and via WebEx.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Council Member Plaag moved to approve the February 24, 2025, Public Hearing minutes as written. Council Member Tugman seconded the motion.

Vote: Aye – 3
Nay – 0
Absent – 2 (George, Roseman)

The motion passed.

Commission Member Behrend moved to approve the February 24, 2025, Public Hearing and Planning Commission meeting minutes as written. Commission Member Pruitt seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

PUBLIC HEARING

Brandon Wise, Deputy Director of Planning & Inspections, explained that, due to a possible invoicing scam, applications for the cases were not included in the meeting packet to help protect personal information.

Case A25-0105 The View Apartments – Conditional District Zoning Map Amendment

Charlotte Lindemanis has submitted a Conditional District Zoning Map Amendment application to rezone 381 Meadowview Drive from B3 General Business to Conditional District R3 Multiple-Family Residential with a site-specific plan for use 1.11 Multi-Family Dwelling (up to 30 bedrooms).

Amy Snider, Commercial Zoning Administrator, introduced the case.

The applicant, Charlotte Lindemanis, stated she would like to rezone the former Maggie Sparks dermatology office from B3 General Business to R3 Multiple-Family. Ms. Lindemanis noted that she was from Charlotte, attended school in Chapel Hill, had family in Blowing Rock and Boone, and her sister attended App State. She stated that she had seen the devastation caused by Hurricane Helene and wanted to help rebuild and beautify the neighborhood.

Ms. Lindemanis relayed her intention to convert the building into five apartments with a total of 10 bedrooms. She stated that she had no plans to modify the exterior except to install a carport and bike rack, as required by the multi-family ordinance. The units would feature high-end finishes, including stone countertops, dishwashers, garbage disposals, soft-close cabinets, stainless steel appliances, modern bathrooms, and hard-surface floors.

Ms. Lindemanis stated that R3 zoning required them to have .7 parking spaces per bed, which would be a total of seven spaces for this development. She noted that the lot needed to be restriped and would yield 18 to 24 spaces. Ms. Lindemanis estimated construction would take three to four months, with Matt Long serving as the general contractor. She stated that there would be a mix of floor plans, including two studio apartments, one 2BR/1BA unit, and two 3BR/2BA units. Ms. Lindemanis added that she planned to manage the property as a local owner or use a local property management company.

Ms. Lindemanis stated that the green space would be preserved as a livability space, and she planned to add an outdoor table and a bike rack that would include both short-term and long-term bicycle parking. She noted that the street yard met ordinance requirements, but there was some foliage in the back that might need to be replaced in the spring.

Ms. Lindemanis stated that she was purchasing the property from Maggie Sparks, and Dr. Sparks had provided authorization for her to go through the rezoning process. She noted that she had met with staff, sent out neighborhood notification letters, and conducted the neighborhood meeting in January. There were three attendees, and all of them voiced support for the project. Ms. Lindemanis stated she had also received several emails, one of which she provided a copy of to Council and Commission members. She noted that she had met with the building inspector, who had preliminarily confirmed that her plans met the North Carolina building code. Ms. Lindemanis stated that she had spoken with individuals from Public Works regarding the water and sewage requirements for converting from B3 to R3, and they informed her that, due to the number of practitioners in Maggie Sparks' office, there would be no net change in water and sewage usage. She explained that the usage allowance was 250 gallons per practitioner, and there were three practitioners in total. Multi-family was allocated 75 gallons of water per bed, and they had ten beds. Both scenarios equaled 750 gallons. Ms. Lindemanis noted that they would have to meter each apartment individually, resulting in additional costs.

Ms. Lindemanis stated that no one type of layout comprised more than 50% of the unit. Each unit that had more than two bedrooms would have a designated master bedroom that was at least 144 square feet, with the other bedrooms being 25% smaller. She added that occupancy of each unit would be limited to two unrelated persons. Ms. Lindemanis noted that there would be adequate storage for each unit, with additional storage on the second floor for the studio apartments, accessible by a drop-down, fire-rated ladder.

Ms. Lindemanis stated that she did not plan to add or remove any asphalt, noting that the existing parking lot met the minimum number of required spaces for the number of beds. After striping the lot, there would be 18-24 spaces, which would provide extra parking for visitors.

Ms. Lindemanis read an email from Linda Byrd of 404 Meadowview Drive, voicing her support of the proposed project.

Ms. Lindemanis noted that the building did not flood during Hurricane Helene. She explained that a lot of dirt was brought in to elevate the building during its construction. Water penetrated a large crawl space but did not penetrate the finished floor, so there was no damage to the interior. Ms. Lindemanis stated that the building was 1' .84" above the base flood elevation. Based on their projected project cost, they would not be required to elevate the building two foot above the base flood elevation.

Council Member Plaag asked Ms. Lindemanis if she was in town during Hurricane Helene and if she inspected the property afterward. Ms. Lindemanis replied that she came to town soon after Helene to inspect the property, and Mr. Long had also inspected it. She stated that there was no water damage to the subfloor, but because there was flooding in the crawl space, Dr. Sparks was required to remove two feet of drywall to dry any moisture that might have entered the walls.

Council Member Plaag presented photos taken a few days after Hurricane Helene, noting debris on top of the HVAC units, the deck, and electrical boxes on the side of the building, as well as mud in the lobby. He stated that there had been at least two fuel oil spills in that neighborhood and urged Ms. Lindemanis to conduct her due diligence when converting this property to a residential area. Council Member Plaag noted that he had been advocating for signage since Helene, not only on public streets but also on private property, to inform residents that they were living in a flood area. He asked Ms. Lindemanis if she would be willing, as a condition of approval, to install signage that informed people when they entered the parking lot that they were entering a 100-year flood zone. Ms. Lindemanis agreed to the condition.

Ms. Lindemanis stated that 25% of the units were required to have a carport, so one carport would need to be installed. The carport would be structurally integrated into the building and match the color and aesthetics of the existing building.

Council Member Carter asked if any exterior entrances would be added. Ms. Landemanis replied that one new entrance door would be added on the right side of the building.

Council Member Plaag asked if any non-conformities, other than the setback, would be created by the zoning change. Ms. Snider replied that it would not. Council Member Plaag asked what "on-site" property management meant. Mr. Wise explained that a local management company could act as the "on-site" property manager, providing an emergency and after-hours contact number.

Council Member Plaag noted that apartments were typically marketed to students. He asked Ms. Lindemanis if she would be willing to accept two additional conditions: not to market the units as student housing and to rent by the unit, not by the bedroom. Ms. Lindemanis accepted both conditions, noting she would require the first and last month's rent, as well as a security deposit, which would limit the accessibility of the units.

Commission Member Pruitt asked if the units would be used as short-term rentals. Ms. Lindemanis replied that the units would have long-term leases. Commission Member Pruitt asked if any stream restoration was planned for the stream on the property to address erosion of the streambank near the building. Ms. Lindemanis stated that the brush and debris would be cleaned up. Mr. Wise noted that a more effective streambank restoration would require repairing larger sections of the creek, not just the section on the subject property.

Chair Tait asked where the stormwater from the roof of the building and the parking lot went. Mr. Wise replied that the roof drains discharged onto the property, and the parking lot discharged surface runoff. He stated there was an open ditch towards the front that ran most of the water to the creek. Chair Tait asked if there was a way to capture any of the runoff in a way that was not prohibitively expensive. Mr.

Wise suggested using rain barrels to capture runoff from the roof but felt it would be difficult to capture the surface runoff from the parking lot inexpensively. Chair Tait asked what level of improvement would trigger the requirement for the applicant to capture the stormwater. Mr. Wise explained that the General Statutes did not allow the town to require stormwater detention for existing impervious surfaces.

Commission Member Kight asked if the building was sprinkled. Ms. Lindemanis replied that the building was not sprinkled and was not required to be under the building code. Commission Member Kight questioned the number of flood openings in the crawl space. Mr. Wise stated that would only be relevant if the building were wet floodproofed. He explained that if the crawlspace were designed to allow water to enter and exit, the number of openings would have to match. However, residential properties could not be wet floodproofed. Mr. Wise noted that dry floodproofing involved installing barriers to prevent water from entering. He added that the only way to floodproof residential structures was to elevate them.

Commission Member Behrend inquired whether some of the units could be designated for low-income housing. Ms. Lindemanis replied that it would be cost-prohibitive for such a small complex.

Commission Member Pruitt noted that the building's value in January was \$232,000, and the estimated project cost was almost 50% of that amount. She asked if that constituted a substantial improvement. Mr. Wise replied that the project cost was just under 50%. He noted that the applicant was considering obtaining a new appraisal, which could alter the building's value. Commission Member Pruitt asked what Ms. Lindemanis would have to do to come into compliance once the 50% was exceeded. Mr. Wise stated that the finished floor would need to be elevated to meet the required 2 feet above the base flood elevation. Council Member Plaag asked if the HVAC units would be elevated. Ms. Lindemanis replied that the HVAC units were being replaced with mini-splits. She stated that they could add 3.6 inches by building a subfloor structure out of two-by-fours, adding a layer of plywood, and then laying LVT over that, which would increase the finished floor height by about four and a half inches.

Commission Member Pruitt asked Ms. Lindemanis if she could obtain flood insurance. Commission Member Pruitt stated that she was an insurance agent, noting that if a property had already flooded once, it was difficult to get flood insurance. Ms. Lindemanis replied that when the property changed ownership, certain carriers would not insure it, but others would. She stated that she had had conversations with the bank and attorneys. Commission Member Pruitt did not believe that private flood insurance would cover the property up to its full value, and she was concerned that the property could flood, leaving it without coverage. Ms. Lindemanis stated it would be very irresponsible of her as a business owner to buy a property that could not be insured. She noted that the premium and deductible might be higher, but felt it could be insured.

Chair Tait stated that the renovation cost was listed as \$115,000. Ms. Lindemanis noted that the project cost might be slightly higher if they had to add the 3.6 inches to the floor. She said that she had materials, such as vanities, hardware, and flooring, from other projects that she planned to use in this project, which kept her costs low. However, if the price exceeded the 50% threshold, they would have to elevate the finished floor.

Council Member Plaag asked if there was a requirement that when renovation costs exceeded a certain threshold, existing non-conformities needed to be addressed. He pointed out the parking maximums in Boone and inquired whether any of the impermeable surfaces would need to be removed. Ms. Snider replied that when the project cost reached 75% of the structure's value, complete compliance to the extent possible would be required. She noted that parking requirements for residential were minimum requirements, with maximum requirements for commercial property. Ms. Snider wished to clarify that R3 could have up to four unrelated persons per unit.

Council Member Carter asked if the cost of raising the floor 3-4 inches would be so substantial that it would make living there unaffordable. Council Member Plaag felt that the units would not be marketed as workforce housing or affordable housing and that only people making a substantial salary would be able to afford the rent. Ms. Lindemanis stated that she was trying to create quality housing by using high-end finishes instead of the “cheap housing” referred to in the Boone Next Plan. This development was not intended to be exclusive luxury housing, but affordable for the average person who lived and worked here. Ms. Lindemanis stated that if the Council and Planning Commission wanted the three and a half inches added to the finished floor, she would make that happen. Ms. Meade asked if the ceilings were high enough to accommodate the addition of 4” to the floor. Ms. Lindemanis replied that the ceilings were approximately 10 feet high.

Matt Long with Capehart Construction stated he visited the property in late October or early November. He noted that the floor finishes and drywall had been removed, and he saw no evidence of water damage to the subfloor. He stated that the water in the crawl space reached the I-joists, which were approximately one foot below the subfloor. Mr. Long said that to raise the finished floor elevation, he could put two-by-fours on edge, add another subfloor on top of the current subfloor, and then finish that floor.

Council Member Tugman asked if the entire building would be gutted to accommodate the new floor plan. Mr. Long replied that the plan was to remove some walls, repurpose the framing, and add some new walls. Council Member Tugman asked if there was currently a second floor in the building. Mr. Long replied that the second floor was currently more like a high atrium. Vice-Chair Veno asked about access to the second floor. Ms. Lindemanis stated they would have to add a staircase to the second floor.

Council Member Plaag wished to verify that the applicant had agreed to the three conditions in addition to the usual conditions:

1. Add signage that informs people upon entering the parking lot that they are entering a flood zone.
2. The units will not be marketed as student housing.
3. The apartments will be rented by the unit, not by the bedroom.

Ms. Lindemanis agreed to the conditions.

Mayor Futrelle invited public comment on this case.

Maria Owens of 417 Meadowview Drive stated that she did not believe the water had entered the Sparks building. She said she was happy that someone wanted to make an investment in their neighborhood that fit with the residential character.

With nothing further, Mayor Futrelle closed the public hearing for this case at 7:20 p.m.

Case A25-0115 Jeremiah’s Ice – Conditional District Zoning Map Amendment - POSTPONED

Chelsea Bell Garrett has submitted a Conditional District Zoning Map Amendment application to rezone 1095 East King Street from B3 General Business to Conditional District B3 General Business with a site-specific plan for Accessory Use A-4 Drive-through.

Mayor Futrelle announced that this case had been postponed.

Case A25-0164 Estep and Rivers – General Use Zoning Map Amendment

In conjunction with a request for voluntary annexation, the Town of Boone has initiated the zoning of property on Highland Hall Road (Watauga County PIN 2901-22-6259-000) owned by Sairung Estep and Matthew Rivers. The zoning district that is being considered is R1 Single-Family Residential, along with Viewshed Protection District overlay.

Council Member Plaag disclosed that he was close friends with the applicants but felt that would not affect his ability to process this case objectively.

Christy Turner, Residential Zoning Administrator, presented the request.

Council Member Plaag asked if zoning the property as R1 Single-Family Residential with the Viewshed Protection District overlay would create any non-conformities. Ms. Turner replied that this was a vacant lot and no non-conformities would be created.

Council Member Tugman asked how much it would cost the town to bring water and sewer to this property. Mr. Wise noted that the applicant was only seeking sewer service, and the sewer would flow downhill and tie to the existing sewer line at the apartments at the beginning of Highland Hall Road. The line would be run from the subject property to the existing sewer line at the property owner's expense. Ms. Meade added that the town did not have an obligation to run utilities where it was not cost-effective.

Ms. Turner stated that she had emailed other departments of the town, and no one had any issues with annexing this property. However, debris pickup would not be offered to the property because there was no turnaround for the trucks. Ms. Turner noted that most of the lots in this neighborhood were very small and did not offer room for a repair field area in the event their sewer system failed.

Chair Tait stated that running a sewer line down the road under the street would mean tearing up the pavement, installing manholes, and repaving. He cautioned the applicant to do their due diligence in terms of what that potential cost could be.

Council Member Tugman asked if the primary reason for annexation and the request for sewer services was due to a failed septic system. Sairung Estep, the applicant and property owner, replied that acquiring sewer service was the primary reason for their request to annex. Ms. Turner noted that the county preferred a ½ to 1-acre lot to accommodate septic fields.

Ms. Estep stated she and her partner, Matt, were lifelong members of the high country and were excited to build their forever home just minutes away from downtown. She said that annexing their small lot into the Town of Boone would allow them to breathe a little bit easier, and they welcomed any available town services.

With nothing further, Mayor Futrelle closed the public hearing for this case at 7:32 p.m.

Adjournment of Town Council

Council Member Carter moved to adjourn the Public Hearing at 7:32 p.m. Council Member Plaag seconded the motion.

Vote: Aye – 4
Nay – 0
Absent – 2 (George)

The motion passed.

Tim Futrelle, Mayor

Brenda Henson, Board Clerk

Adrian Tait, Planning Commission Chair

PLANNING COMMISSION

Chair Tait called a break in the meeting from 7:32 p.m. until 7:39 p.m.

Case A25-0105 The View Apartments – Conditional District Zoning Map Amendment

Charlotte Lindemanis has submitted a Conditional District Zoning Map Amendment application to rezone 381 Meadowview Drive from B3 General Business to Conditional District R3 Multiple-Family Residential with a site-specific plan for use 1.11 Multi-Family Dwelling (up to 30 bedrooms).

Vice-Chair Veno stated that he was not in favor of the possible requirement to raise the finished floor by 3-4 inches. He did not think that this would make a significant difference if the property flooded. Vice-Chair Veno added that numerous precautions were taken during the building's construction to ensure it was well above the base flood elevation.

Mr. Wise stated that when the building was constructed in 2002, it was built two feet above the base flood elevation. However, the flood maps have changed, and the baseline got higher. Mr. Wise stated that the town always encouraged people to come into compliance with the 2' above base flood elevation. He noted that once the 50% was reached, compliance was required. If a new appraisal significantly raises the building's value, it would require a greater construction value to reach the 50% threshold.

Chair Tait felt it would be best to let the value of the improvements and the building value dictate what needed to be done. Vice-Chair Veno agreed and stated this was a perfect fit for this neighborhood.

First Motion and Vote: Commission Member Behrend made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because of:

Comprehensive Plan Policy 2.1.1 Economic Development

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.

D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

Comprehensive Plan Policy 2.3.3 Housing and Neighborhoods

A. The protection and rehabilitation of viable neighborhoods shall be encouraged to ensure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.

H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

Vice-Chair Veno seconded the motion. Chair Tait wished to amend the motion to include the following conditions:

1. Where there is a conflict between the application information and the plans (dated received on February 6, 2025), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.

2. Any commitments and representations concerning the proposed development made by the applicant 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 will add appropriate signage that informs people upon entering the parking lot that they are entering a flood zone.
5. The applicant will not market the units as student housing.
6. The applicant will rent the dwelling units by the unit, not by the bedroom.

Commission Member Behrend and Vice-Chair Veno accepted the amendment.

Vote: Aye – 5
Nay – 0

The motion passed.

Second Motion and Vote: Commission Member Behrend made a motion that the Planning Commission recommends approval of Ordinance A25-0105 within Exhibit A and believes approval is reasonable and in the public interest because this is going to improve that whole neighborhood, there are a lot of people in that neighborhood that are really excited about it, and it will give some more housing to Boone. Vice-Chair Veno seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Case A25-0164 Estep and Rivers – General Use Zoning Map Amendment

In conjunction with a request for voluntary annexation, the Town of Boone has initiated the zoning of property on Highland Hall Road (Watauga County PIN 2901-22-6259-000) owned by Sairung Estep and Matthew Rivers. The zoning district that is being considered is R1 Single-Family Residential, along with the Viewshed Protection District overlay.

Commission Member Behrend felt this would be good for the town. She thought that this family seemed ready to commit to annexing into town and receiving town services.

First Motion and Vote: Commission Member Kight made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because of:

Comprehensive Plan Policy 2.1.1 Economic Development

D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

Comprehensive Plan Policy 2.2.2 Utilities

C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area.

Comprehensive Plan Policy 2.3.3 Housing and Neighborhoods

F. The affordable housing needs of area residents, particularly elderly and low to moderate income residents, shall be recognized in Town policies and actions regarding residential development.

Commission Member Behrend seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Second Motion and Vote: Commission Member Pruitt made a motion that the Planning Commission recommends approval of Ordinance A25-0164 within Exhibit A and believes approval is reasonable and in the public interest because it is allowing additional residents of Boone to stay and build and thrive. Commission Member Behrend seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Other Matters

No other matters were discussed at this meeting.

Adjournment

Commission Member Kight motioned to adjourn the meeting at 8:01 p.m. Commission Member Behrend seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Adrian Tait, Planning Commission Chair

Brenda Henson, Board Clerk