

**PUBLIC HEARING MINUTES
MONDAY, JULY 26, 2021, 6:00 PM
VIA WEBEX SOFTWARE**

COUNCIL MEMBERS: Rennie Brantz-Mayor, Virginia Roseman, Nancy LaPlaca, Dustin Hicks, and Connie Ulmer (joined at 6:37 pm)

PLANNING COMMISSION MEMBERS: Elizabeth Shay-Chair, Eric Plaag-Vice-Chair, Chris Behrend, John Tippet, Amanda Halbert, and Smith Warren

HISTORIC PRESERVATION COMMISSION MEMBERS: Bettie Bond-Vice-Chair and Chuck Watkins

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections and Brenda Henson-Board Secretary

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: John Ward-Town Manager and Allison Meade-Town Attorney

OTHER ATTENDEES/PARTICIPANTS VIA WEBEX: Brian Williams, Deron Geouque, John Muter, and Chelsea Garrett

Ms. Shook noted that the case for A&R Mountain Properties had been withdrawn. She also announced that the Historic Preservation Commission would be sitting in for the public hearing of the Blue Ridge Tourist Court case.

Council Member Roseman asked if she should recuse herself from the Watauga County Courthouse case because she participated as a Board of Adjustment member during the approval of the variances for the roof. Ms. Shook replied that she would consult Ms. Meade, and the topic would be discussed during the meeting.

Call to Order

Mayor Brantz called the Town Council to order at 6:13 pm, and Chair Shay called the Planning Commission to order at 6:14 pm for the Public Hearing/Planning Commission meeting held via WebEx.

Approval of Meeting Minutes

Council Member Roseman made a motion to approve the May 24, 2021 Public Hearing minutes. The motion was seconded by Council Member LaPlaca.

Vote: Aye – All
Nay – None

The motion passed.

Commission Member Behrend motion to approve the May 24, 2021 Public Hearing minutes. The motion was seconded by Vice-Chair Plaag.

Vote: Aye – All
Nay – None

The motion passed.

Ms. Shook reviewed the general guidelines for each case presented at the Public Hearing.

Case PL04893-070721 & PL04894-070721 Blue Ridge Tourist Court – Historic Landmark Designation

Blue Ridge Tourist Court, LLC has filed Local Historic Landmark Applications to designate the properties at 560/574 Old East King Street, Watauga County PIN: 2910-89-5295-000 (Case PL04893-070721) and at

187/191 Cecil Miller Road, Watauga County PIN: 2910-89-7127-000 (Case PL04894-070721) as a Local Historic Landmark.

Historic landmark designation is processed as an amendment to the Town's official Zoning Map (similar to a general use zoning map amendment).

Vice-Chair Plaag recused himself from this case because he was the historic preservation consultant for the project and had assisted Brian Williams in preparing some of the materials before the boards.

Ms. Shook outlined the request as it was presented in the meeting packet.

Mr. Williams provided a brief history of the Blue Ridge Tourist Court, noting that the property was purchased by Estel Wagner in 1949 or 1950. Shortly thereafter, Mr. Wagner built the main building of the Tourist Court and it housed seven rooms, four of which were connecting rooms. He also built the office at the same time. Mr. Williams stated that not long after those buildings were built, Mr. Wagner built what he had been referring to as the annex. Mr. Williamson noted that there used to be a pool on the property, but it had been removed. He stated there was also a small garage apartment, built around 1951 or 1952, and a motel building, built around 1953.

Mr. Williams stated he was pursuing a Local Historic Landmark designation as well as a National Register of Historic Places listing. He explained that he was pursuing the National Register listing based on two of four criteria. Criterion A was an entertainment and recreation site, and criterion B was a local person of historic significance. Mr. Williams stated that Estel Wagner, in addition to building the Blue Ridge Tourist Court, was also pivotal in the creation of the Horn in the West, he served on the board of the Boone Golf Course for 40 years, he built The Cabana Motel/Scottish Inn, he built the building that currently houses Jimmy John's, and he was believed to be the first licensed real estate broker in Boone.

Mr. Williams felt the most beautiful building on the property was the office. He stated he thought it was made with granite and was a solidly built little building. He noted there had been a fire in the annex building at some point. Mr. Williams stated that most of the original windows in the building were still intact and would be restored, while others would have to be replaced. He stated there was a basement underneath one of the units that used to house the boilers for the property. Mr. Williams stated he was considering putting the chimney back up.

Mr. Williamson stated he was trying to work through the sign ordinance to see if it was possible to recreate the sign and put it back up under the current guidelines. He noted that the garage apartment was built for folks who were staying a little bit longer term.

Mayor Brantz asked Mr. Williams what attracted him to this property. Mr. Williams replied that for around a year he had been trying to save the old Edmiston farmhouse beside the hospital, and when it was torn down, he was pretty devastated. He stated he started looking for older properties that were available that felt financially viable to save.

Council Member Ulmer joined the meeting at 6:37 pm.

Ms. Shook noted that she did not receive any requests to participate under public comment for this case.

Planning Commission Chair Shay stated she was delighted by this project and enjoyed reading the report and looking at the photos. She asked how different the interior configuration of the rooms would be and how the Tourist Court would function. Mr. Williams stated that the National Register process did not dictate exactly what happened to the interior. He explained that he was applying for historic rehabilitation tax credits throughout this process, and that carried with it stricter guidelines. Mr. Williams stated his intent was to have fairly historically appropriate finishes and design. He noted that he could not go into the main Tourist Court building and blow out all the interior walls and make it into an open concept office space. Mr. Williams explained that the rooms and bathrooms would maintain the same shape with the

exception of one ADA room. He noted that the National Park Service allowed a little bit of leeway for changes, particularly in bathrooms. Mr. Williams stated he planned to put a small kitchenette in each unit with 50's style cabinetry and as many vintage details as possible. He stated they planned to operate as more of an Airbnb operation than a traditional motel where there would have been someone sitting in the office all day. Mr. Williams stated that the office would house a stacked washer and dryer for the tenants to use, and they hoped to conceal an icemaker in an old wooden desk. He stated they planned to have a handful of washers and dryers in the basement for the cleaning crew to use.

Historic Preservation Commission Vice-Chair Bond stated that the very first night they came to Boone in 1971 they stayed in the Boone Trail Motel where it was two people, one bed. She stated that the bedspreads were chenille. Mr. Williams stated they were going to try to get chenille bedspreads. Vice-Chair Bond noted that Boone was becoming 150 years old this year and felt this project could be a really interesting chapter about the development of tourism in the very recent past of our 150 years.

Council Member Roseman asked Mr. Williams when he estimated the project would be completed, wondering if it would be completed in time for the Boone 150 celebration. Mr. Williams replied that they were shooting for wintertime to get the Tourist Court, the annex, and the office completed, and the motel would probably not be ready until the spring of next year. He added that they were trying to determine whether or not to utilize the upper motel building as another extension of the motel operation or as townhomes/condos for sale, maintaining the same interior layout with a retro feel.

Council Member LaPlaca noted the beautiful wood shown in some of the photos and asked if many of the rooms had that wood paneling. Mr. Williams replied that the office had the wood paneling in it, but it was not in very good shape. He stated that one room in the original Tourist Court building had that wood in it, and it was still intact. Mr. Williams stated that the other six rooms in the main Tourist Court building were stucco over the block, and were subsequently covered with really thin, poor quality paneling.

Council Member Roseman asked how the historic destination would affect the nearby home. Ms. Shook responded that the historic designation should have no impact on the house. She stated that the only properties impacted by this designation were the properties that were the subject of the request. Council Member Roseman asked if the historic designation would create a positive or negative valuation for neighboring structures. Ms. Shook redirected the question to Eric Plaag. Mr. Plaag stated that either a District or a Landmark designation tended to have a net positive impact on property values over both the short and long term. He noted that there had been dozens of studies done over the last 20 years on this topic, and they consistently showed that either things were neutral or there was a positive impact.

Mr. Williams stated he had spoken with the owners of the nearby home, and they were very happy to see the project occurring. He noted that he spoke with the homeowner about the Local Landmark designation and the National Register listing and offered to include them in that process, but they did not wish to be included in the listing process.

With no further comment, Mayor Brantz closed the public hearing for this case at 6:55 pm.

Historic Preservation Commission Vice-Chair Bond and Commission Member Watkins left the meeting at 6:56 pm.

Planning Commission Vice-Chair Plaag rejoined the meeting at 6:56 pm.

Case PL04797-060921 Watauga County Courthouse – Conditional District Zoning Map Amendment

John Muter, on behalf of Watauga County, has filed a Conditional District Zoning Map Amendment Application to rezone 842 West King Street (Watauga County Courthouse) from B1 Central Business to Conditional District B1 Central Business for a site specific approval for Use 5.16 Government Facility.

The request for Conditional District approval is required pursuant to UDO Subsection 16.08.04(B)(2)(a) which states that the height of existing buildings may not be increased unless approved under the Conditional District Zoning Map Amendment Process. Watauga County is proposing to install a new pitched metal roof which will increase the height of the building, thus requiring a Conditional District Zoning Map Amendment.

The property owner is not proposing any other changes to the current use or any other physical modifications to the existing site other than the installation of the new roof.

Ms. Shook noted that the applicant had submitted site photos that were not attached to the meeting packet, and she had attached those to the digital version of the packet before the meeting.

Ms. Meade stated that Council Member Roseman had noted she was on the Board of Adjustment when an application for a variance for this roof came before the Board. Ms. Meade explained that a variance had to be obtained from the Board of Adjustment before this application for the zoning amendment could be brought before Town Council. She stated it was her view that there were no grounds for recusal for Council Member Roseman. Ms. Meade stated that the Board of Adjustment was quasi-judicial, and they were strictly and carefully limited by the quasi-judicial standards that apply to a Board of Adjustment hearing, whereas this particular hearing is a legislative decision before the Town Council and she saw no grounds for recusal. Ms. Meade suggested that the applicant be asked if they had any objection to Council Member Roseman hearing this case as a Council member. Ms. Garrett indicated they had no objections. Ms. Meade asked if there were any Council members who would like to raise any issue or objection to Council Member Roseman's participation in the hearing tonight. There were no objections by Council.

Ms. Shook presented the request as it was outlined in the meeting packet. She stated that the following variances were granted by the Board of Adjustment in January 2021:

1. Variance to UDO Subsection 16.08.04(A)(2) to exceed the maximum building height of 33' in the B1 Central Business District by up to 17' 8".
2. Variance to UDO Subsection 18.02.02(C)(1)(d) to modify historic features, materials, and spatial relationships that characterize the property to allow a pitched roof to be retrofitted over the existing flat roof; and
3. Variance to UDO Subsection 18.02.02(C)(2)(a) to modify acceptable historic building materials to allow a standing seam metal roof to be installed instead of using historic roofing materials.

Ms. Shook noted there was an error in the staff report on packet page 114 that indicated the use of the property was 11.26 Hospital when it should be use 5.16 Government Facility.

Ms. Garrett introduced Deron Geouque, County Manager, and John Muter from Muter Construction. Ms. Garrett noted that they were only asking to replace a roof on an existing building and go from a flat membrane roof to a pitched metal roof on the County Courthouse. She stated this would increase the height of the building and noted that the Board of Adjustment, through the variance process, had already contemplated everything they were asking for tonight. Ms. Garrett stated that recent changes to the UDO regarding historic preservation now required that if a historic building was going to increase or change, a zoning map amendment must be approved.

Ms. Garrett stated that the existing membrane roof had a number of leaks, and finding them with a membrane roof was difficult. She noted that once a membrane roof was of a certain age, it was necessary to either wholly replace it or risk having whatever the contents of the building were to be damaged.

Mr. Geouque stated that about 4-5 years ago, the County started discussing roof replacement for all of the County facilities and they determined that, based on the life that they could get out of a metal roof versus the membrane roof, they chose to go with converting all of their facilities to metal roof. He noted

there had been multiple leaks in the Courthouse, which was the central place for historical documents, and it was important to protect those documents and keep the Courthouse in the downtown area. Mr. Geouque stated you could see the HVAC units on top of the building, and the metal roof structure would allow them to conceal the HVAC units and would be more aesthetically pleasing. He stated that there had been discussions about potentially replacing the facade on the front of the building sometime in the future. Mr. Geouque explained that the siding was what he called Pebble Tec, which was basically concrete pebbles in panels that were attached to the Courthouse. He stated that they require constant maintenance and continue to leak, in addition to the issues with the roof, so they hoped to replace the exterior of the building sometime down the road. Mr. Geouque stated the County had one of the ugliest Courthouses in North Carolina, and they were trying to do what they could to improve it. He noted that they did an addition to the back of the Courthouse about 15 years ago, and it had a much better façade.

Ms. Garrett asked Mr. Muter, the owner and president of Muter Construction, to explain what he viewed as the benefit of retrofit metal roof installation. Mr. Muter stated that the process of taking a flat roof and making a sloped metal roof involved field building some iron above the existing roof for the metal roof panels. He felt it was a very efficient way to retrofit a roof. Mr. Muter noted there were two existing buildings in the same complex, the Administration building, and the building right behind it, that had the same color roofing and style as what they were proposing for the Courthouse. He stated the new roof system would be much more aesthetically pleasing from the Queen Street view than what was there now.

Ms. Garrett stated there were photos of different perspectives of the roof that were provided but she did not see them in the meeting packet. Ms. Shook replied that the only photos that were provided were included in the packet.

Ms. Garrett asked Mr. Muter if you would be able to see the new roof if you were standing on King Street. Mr. Muter replied that you would basically be looking straight up the face of the building and would not be able to see the roof from King Street. He felt the only angle that you would see the roof from would be Queen Street. Ms. Garrett asked Mr. Muter about the pitch of the roof. Mr. Muter replied that they were careful not to over pitch the roof and still be at the limit that they could bet the HVAC units in. Ms. Garrett asked if covering the units would have an effect on the efficiency. Mr. Muter felt the efficiency would be somewhat improved because there would be more conditioned air under roof, but what really extended the life of the units would be going from being out in the elements to being inside a covered area, creating less maintenance.

Ms. Garrett asked Mr. Muter how long he had been in the roofing business. He replied that he had been in the roofing business since 1978. Ms. Garrett asked Mr. Muter how long he had been installing standing seam metal roofs, and he replied that he had been installing them since 1998 or 1999. Ms. Garrett asked Mr. Muter if metal roofing was a new roofing material. Mr. Muter stated that when he first started roofing back in 1978, they repaired a lot of barn roofs that were metal. He stated that those older metal roofs were lasting 40-50 years. Mr. Muter added that today's standing seam roofs offered the ability to not have any exposed fasteners or washers and some roofs were lasting 60-70 years. Ms. Garrett asked if it was accurate that the life or the longevity of the standing seam metal roofs was closer to 60 years, and Mr. Muter stated that was correct.

Ms. Garrett asked, if approved, how quickly Muter Construction would be able to start installation. Mr. Muter stated they should be able to start within 30 days from the time they got a permit.

Ms. Garrett asked if there was anything about this retrofit roof installation that would affect the integrity of the building or any of the new materials on the façade. Mr. Muter replied that it would not affect the integrity of the building at all. Ms. Garrett asked if the new Courthouse roof would be identical to the roof on the County government building, and Mr. Muter stated they would be identical.

Ms. Garrett stated they were in a unique situation, having to ask for a zoning map amendment because they were increasing the height due to the installation of the pitched roof. She stated the building was 52 years old and was just in the historic category by two years. Ms. Garrett contended that putting a material on the roof that was associated with historic structures, such as metal, would be acceptable and would also address some very real and practical issues with maintenance and repairs and ensuring the protection of important documents inside. Ms. Garrett stated that if Council wanted to put some conditions on the approval regarding continued use by the County as a government building, they would be willing to discuss that. She noted that the Comprehensive Plan mentioned the importance of revitalizing the downtown, and the structures paying attention to maintenance and repairs and the historic character of buildings. Ms. Garrett felt the metal roof for the Courthouse would be compatible with the adjacent buildings and with the high country.

Ms. Shook wished to clarify that the variance for the material was that the Ordinance required the material to be historic to the building, the building right on the same block, or the block across the street. She noted that staff's research indicated metal was not a historical material, which was the reason a variance was necessary. Ms. Shook added that the site-specific approval would allow the increase in height and would also use 5.16 Government Facility.

Vice-Chair Plaag asked Ms. Garrett if she had any training or expertise in historic preservation, and she replied that she did not. Vice-Chair Plaag asked Mr. Muter if he had any training or expertise in historic preservation. Mr. Muter replied that he had done a number of historical projects, including historic tax credits projects. Vice-Chair Plaag asked Mr. Muter how he would describe the architectural style of this particular Courthouse. Mr. Muter stated he would call it confused because it was a mixture of materials and styles. He added that maybe you could call it modern. Vice-Chair Plaag asked Mr. Muter if he was familiar with the Brutalist Movement, and he replied that he was not. Vice-Chair Plaag stated the Courthouse was a pretty classic example of a Brutalist-style building.

Vice-Chair Plaag stated his understanding from the drawing that was submitted with the packet was that there would be a gable along the front roofline of the 1982 addition to the Courthouse. Mr. Muter replied that it would actually be a hipped roof. Vice-Chair Plaag asked Mr. Muter if it would be true that the gable showing the angled plains of the roof would be visible from King Street. Mr. Muter replied that he thought it would. Vice-Chair Plaag noted that the current height of the Courthouse was approximately 33', and it would be an additional 17' 8" to the top of the gable, an increase in height of approximately 54%. Vice-Chair Plaag asked Mr. Muter if he had seen a lot of Brutalist buildings that had gabled fronts. Mr. Muter replied that he had retrofitted some but was not sure they were originally built that way.

Vice-Chair Plaag stated that the drawing that was submitted seemed to show what looked like a window wall over the entrance that was not there now and asked if that was something that was contemplated with this work. Mr. Muter stated that all of his work would be associated with the roof.

Vice-Chair Plaag stated that the plan in the packet seemed to indicate two separate gabled roof sections; the front-facing part, and then an additional section that would extend out to the outer edges of the original Courthouse section, which was a tiered section. Mr. Muter stated that was. Vice-Chair Plaag asked if it was really a double gable roof or a hip roof, and was there a hip at the rear. Mr. Muter replied that they were planning a hip at the rear as well as the front because of issues with the HVAC units. Vice-Chair Plaag stated that the drawing that was submitted showed a 6:12 slope over the original Courthouse and a 4:12 slope over the front addition from 1982. He asked Mr. Muter if that was accurate. Mr. Muter stated that was accurate.

Vice-Chair Plaag asked Mr. Muter if an engineering study was conducted to determine whether either the addition or the Courthouse or both could handle the weight of this large metal roof structure that was being proposed for a building that was not designed to carry that. Mr. Muter replied that an engineering

study had been done. Vice-Chair Plaag asked Mr. Muter how he planned to vent the HVAC and other mechanicals from the roof. Mr. Muter explained that they used louvers that come off of the roof to bring the air in. Mr. Muter noted they did the same thing on the Administration building next door. Vice-Chair Plaag stated the drawing that was submitted did not show that as part of the roof structure and asked if the drawing in the packet was not an accurate representation of what the plan actually entailed. Mr. Muter stated he thought the drawing was accurate. Vice-Chair Plaag noted that the drawing was shown in profile from the front façade, and there was no example of the louvers, which were essentially dormers, shown in the profile. He asked where they would be located and why they were not shown on the plan. Mr. Muter stated he thought the architect did not show them for clarity purposes.

Vice-Chair Plaag stated the cost for this project was estimated at \$835,000, and the standing seam metal roof was supposed to last 60 years. Vice-Chair Plaag stated that he did a survey of various roofing companies that do standing seam metal roofs today and found that, for our area, the actual industry standard for the type of standing seam metal roof that was being proposed was a lifespan of between 30 to 50 years, given our climate. Mr. Muter replied that he thought the roof should last 50 to 60 years because of the finish and thickness of the metal. Vice-Chair Plaag noted that Mr. Muter's testimony to the Board of Adjustments was that a replacement membrane roof would last only 15 years. He asked Mr. Muter if it was true that the current industry standard for an EPDM membrane roof was 25 to 30 years. Mr. Muter responded that his company did not install EPDM roofs very often and felt that most of what they were seeing today was PVC and TPO roofs. Vice-Chair asked if there was a cost estimate provided to the County to replace the current membrane roof with an EPDM or other type of membrane roof. Mr. Muter stated that his company did not provide a quote for a membrane roof replacement.

Vice Chair Plaag asked Mr. Muter if the County explored the option of installing a new, low pitch roof that would be hidden behind a low parapet that would have been along the King Street elevation of the building, which would allow for some additional pitch to the building but might have as large a profile as the front gable that was proposed. Mr. Muter stated they did not talk about that option and noted that the HVAC units would have to be put on top of the low-sloped metal. Vice-Chair Plaag asked Mr. Muter what he would estimate the cost difference to be between doing a lower pitch metal roof and reinstalling the membrane roof. Mr. Muter stated he was unsure but estimated it would be a 5-10% maximum savings. Vice-Chair Plaag asked Mr. Muter if he was saying that a significantly lower pitched roof and reinstallation of the HVAC units behind the parapet wall on the front elevation would allow them to utilize the existing front surface materials of the building by building them up slightly and hiding a much lower pitched roof behind that for between 5 and 10% less than the estimated project cost for what was proposed. Mr. Muter stated he estimated based on using metal panels and asked Vice-Chair Plaag if he meant an estimate using existing or similar materials. Vice-Chair Plaag stated it would need to be a compatible material. Mr. Muter felt that he would need to have a better idea of the type of material in order to provide a good comparison.

Vice-Chair Plaag asked how old the current membrane roof was. Mr. Geouque replied that the current membrane was at least 20 years old. Mr. Geouque stated he had worked for the County for 20 years, and the roof had leaked numerous times during that period. Vice-Chair Plaag stated that the argument before the BOA was that the roof replacement constituted a hardship. He noted that the County had a 20-year roof that Mr. Muter said had a lifespan of 15 to 20 years, and that it was leaking and needed replaced. Vice-Chair Plaag felt this was just general maintenance to help maintain a building, not a hardship. Mr. Geouque stated there had been floods of water in the building to the point where it got into the fire alarm systems, and they had to be replaced. Mr. Geouque felt it was not just general maintenance, noting they had had extensive leaks and a tremendous amount of issues with the Courthouse, especially during heavy rains. Vice-Chair Plaag stated that if you have a membrane roof on your building and you know that the life expectancy is only 15 to 20 years, a reasonable property owner would foresee that they were going

to have to replace that roof within 15 to 20 years. Mr. Geouque stated that they look at the difference between the membrane roofs and the metal roofs and decided that they would get more life expectancy out of the metal roofs. Mr. Geouque mentioned the low pitch roof and stated that the low pitch would not allow the HVAC units to be concealed, which would not help with the overall maintenance and upkeep of those units.

Council Member LaPlaca asked what the pitch of the roof would be. Mr. Muter replied that the pitch in the front would be 4:12, and it would be a little steeper in the back. Council Member LaPlaca asked why they were trying to keep a lower pitch. Mr. Muter stated that the higher the pitch, the higher the cost. He noted they also did not want to waste space in the roof structure.

Council Member LaPlaca stated it was good to hear that the HVAC equipment would be protected. She noted that when there are south-facing roofs, we really should think about solar. Council Member LaPlaca stated that, sooner or later, we were going to have a heat event, and we were going to need cooling centers. She stated she could totally appreciate historic preservation, but if we did not do something to preserve the future, we were really missing the boat. Vice-Chair Plaag stated that the proposed angled pitches of the roof would face to the east and west, not south, so the opportunity for solar on the Courthouse might be best on a flat roof. Council Member LaPlaca stated that western exposure was fine. Vice-Chair Plaag stated if you left the membrane roof, you would have the opportunity to install a solar array on top of the flat roof that would not be visible from the street level and that would capture a greater amount of solar energy than arrays that were facing east or west.

Ms. Garrett asked Mr. Muter asked what happened to membrane roofs when they were removed. Mr. Muter replied that they would leave the membrane roof on the Courthouse, but in other situations where you are replacing the roof and removing the membrane, the membrane and the insulation underneath would go to the landfill. Ms. Garrett asked what happened to metal roofs that were removed. Mr. Muter stated that the metal was salvageable and there was value in it.

Council Member Roseman asked if some type of solar panels could be included on the pitched roof that would be valuable to produce energy for the Courthouse. Mr. Muter replied that there was a solar array that went between the standing seams and a company out of Raleigh sold and installed them. He stated they were flat panels that were very thin and self-adhere to the metal roofing.

Ms. Garrett asked if there were any organizations, committees, or boards that could look into projects like a public/private partnership, if the roof were to be identified as suitable or appropriate for solar. Mr. Geouque felt that could be possible. Mr. Geouque stated the County had been working to get a solar farm put out at the landfill. He noted that both the Town and the County were also looking at purchasing some sustainable energy through New River Light & Power, which may be a little bit of an additional expense, but would allow both the Town and the County to invest in sustainable energy. Mr. Geouque stated that the County would always be open to solar projects. He added that the back of the Courthouse was rock, the front of the Courthouse was Pebble Tec, and the side of the Courthouse was brick, so there were various looks to the building.

Ms. Garrett referred to Vice-Chair Plaag's comment that replacement of the roof was just repair and maintenance and not necessarily a hardship. She then noted Mr. Geouque's statement that the roof had leaked since he had been at the County Manager's office for 20 years. Ms. Garrett stated it was not like the roof was fine and had no issues, but it had instead been leaking for the duration of that time. Ms. Garrett asked Mr. Geouque to describe what happened with the fire system. Mr. Geouque replied that when the roof leaked, it shorted out some of the fire alarm system, and it had to be replaced on the upper level. He noted it was difficult to shut down the Courthouse at any time for renovations. Mr. Geouque added that the more penetrations you put on a roof, the more likely you were to have leaks, whether it was a membrane or a metal roof.

Ms. Garrett shared before and after photos of the Courthouse from several different perspectives that showed the proposed roof. Ms. Garrett noted that the photo from the west side of the building on King Street showed the roof attached, and from that angle and part of King Street you would not be able to see the pitching of the new roof. She stated there was no gable on the front King Street side and noted it would be a hip roof and look more like a pyramid. Ms. Garrett then showed before and after photos from the east side of the building on King Street close to the corner of King Street and Water Street, noting it would be difficult to see the pitching of the roof from that angle. The next photos she presented were from the back of the Administration building on Queen Street, noting that you would be able to see the roof from this location.

Ms. Garrett stated her understanding was that the height was measured from the sidewalk on the King Street side up to the point of the roof. She noted that the building was substantially stepped back, so it was a scaled 17' and not a straight up 17'. Ms. Garrett asked Mr. Muter, because it was stepped back to the peak of the roof, how far back from the front of the building it was. Mr. Muter estimated it would be about 15'.

Ms. Garrett then shared before and after photos from King Street taken closer to the top of the crest of the hill on Queen Street looking down on the Courthouse and Administration building. She stated she thought the County had done a good job of keeping the roof pitch as low as possible so it would be less visible.

Council Member Hicks asked why there were so many flat roofs in this area to begin with when there was so much snow and rain. Vice-Chair Plaag replied that, in reality, there were not very many flat roofs in the area. He stated that a flat roof was not very functional, if it was truly flat. Vice-Chair Plaag stated that, in this particular case, a very low pitch roof would have water flowing away from some center line on that flat roof to a series of drains that were arranged on the roof. He noted that this was a pretty common thing to do with buildings that were designed from the 1870's until probably the late 20th century because it was cheap. Vice-Chair Plaag stated that flat roofs and mechanicals could be hidden behind a parapet to make an attractive appearance from street level without having to do that with expensive roofing elements.

Council Member LaPlaca mentioned Mr. Muter's reference to thin solar panels and stated she thought he was talking about Thin-Film. She stated that the reason the County would not put solar on that roof was because the rules were so awful. Council Member LaPlaca explained that you must sell every single solar kilowatt-hour to New River Light & Power for 3 cents, and you cannot use the electricity first. She felt that this was the reason there was no solar in Town. Council Member LaPlaca noted that the new Rec Center had a beautiful facility that would be a perfect place to put solar to heat the water, but the roof faced the wrong way.

Council Member Ulmer asked if solar had been considered when the County started planning to redo the Courthouse roof. Mr. Geouque replied that they did look at that and noted that, down the road, the Thin-Film solar panels could potentially be retrofitted. He stated that the County was spending a tremendous amount of money replacing all of their roofs now.

Council Member Roseman felt that most of the buildings on King Street and Queen Street were facing directions that did not take heating of the buildings into consideration. Vice-Chair Plaag stated that a good architect, in the past and today, should design buildings that take into consideration how the sun would affect the property.

Vice-Chair Plaag stated he was surprised by the before and after photos shown by Ms. Garrett that the roof was actually a pure metal or hipped roof that was going on top of the existing roof because the lone architectural drawing that was in the actual application clearly showed a gable front. He felt there was

the opportunity on the front hip to do some solar if the County wanted to. Vice-Chair Plaag stated that a pyramid roof or a hipped roof was inappropriate to the style of the building. He stated he was not as horrified as he was before this meeting because a gable front would have looked like somebody put a party hat on the Courthouse, which would be awful. Vice-Chair Plaag felt the hipped roof was not great architecturally, but it was less offensive than what he understood from the packet to be going on there. He asked Ms. Shook if her department understood this to be a gable front roof, or if her department understood this to be a hipped roof sloping back from the front facade. Ms. Shook replied that her understanding was that the roof would look like they did the photos that were shown to the Board, not utilizing the elevation that was shown. She noted that she did not handle the variance cases, but referred everyone to the photos that were presented to the Board of Adjustment, noting they were the same photos presented this evening by Ms. Garrett.

Vice-Chair Plaag asked if the applicant was willing to stipulate that the drawing contained in the packet was not an accurate representation of what the roof was supposed to look like and that the photos that were introduced tonight were a more accurate representation of what was planned for all three parts of the Courthouse. Ms. Garrett replied that they could stipulate that. She then asked Mr. Muter if he could confirm that that one drawing incorrectly depicted that the roof was gabled. Mr. Muter stated that it was an incorrect depiction.

Chair Shay wished to acknowledge Council Member LaPlaca's passionate statements and stated that she agreed with the sentiment. Chair Shay noted that no build date on the current membrane roof had been presented, so they did not know how far past its lifespan it was, other than the 20 years noted by Mr. Geouque. She also noted that there had been no estimate to replace the membrane roof. Ms. Garrett stated that was correct, noting the County chose not to replace the roof with another membrane roof but to do a metal retrofitted roof instead. Chair Shay stated that she understood the mechanicals were currently uncovered and that shortened the lifespan of the mechanicals. She asked if there was not a way to enclose the mechanicals on a membrane roof. Mr. Geouque replied that the better situation would be to have the HVAC units under the metal roof versus on top of the membrane or metal roof that would have to be penetrated. He stated that each time you penetrate the roof, you create more likelihood of leaks. Chair Shay asked about the different estimates of the lifespan of a metal roof, noting that 60-70 years was very different from 35-40 years. She asked what the guaranteed life of a metal roof was. Mr. Muter replied that the manufacturers would guarantee at least 30 years on the material alone, and they could purchase extended warranties beyond that.

Council Member LaPlaca stated that the beauty of Thin-Film with this roof was that there would be no penetrations. She stated it was very lightweight, and it would form to the shape of the roof. Council Member LaPlaca noted that it was not quite as energy-dense, and you needed more square area to get electricity, but it was still a great product. She stated there was no reason why New River Light & Power could not do a special rate for the County for that building. Council Member LaPlaca felt it would be a wonderful place to think about having a cooling center. Ms. Garrett asked who they would talk with at New River Light & Power about solar panel installation. Council Member LaPlaca stated they would need to talk to Ed Miller, and he could give the County a special rate.

Vice-Chair Plaag stated from the photos it appeared the roof was anchored at the front by maybe 6-8 clamps that kind of set down on the roof with a little bit of an airway underneath. He asked what the roof was wind tested to. Mr. Muter replied it was wind tested up to 130 miles per hour and would be anchored to bar joists or concrete and tied together with purlins.

Ms. Garrett stated she saw in the Board of Adjustment meeting minutes that Mr. Muter testified that the pitched roof would cost 1 ½ to 2 times more than replacing the membrane.

Ms. Shook noted that no one had signed up for public comment on this case. She reminded everyone of the need to discuss any potential conditions that may apply during the public hearing portion of the meeting. Ms. Shook directed everyone to the three standard conditions listed in the meeting packet as follows:

1. Where there is a conflict between the application information and the plans (plan received June 15, 2021) the plans 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 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. List any other conditions...

Vice-Chair Plaag stated he would like for the applicant to accept the condition that the final design for the roof would mimic and approximate the design shown in the after pictures that were presented to Town Council and Planning Commission for the first time tonight and that the design shown in the drawing by Bill Dixon was not representative of what the final appearance of this project would look like. Ms. Garrett agreed to that condition.

Ms. Shook asked if anyone had joined the meeting that would like to speak under public comment for this case, and there was no reply.

With nothing further, Mayor Brantz closed the public hearing for this case at 8:22 pm.

Adjournment of Town Council

Council Member LaPlaca made a motion to adjourn the Town Council at 8:22 pm. The motion was seconded by Council Member Ulmer.

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

Rennie Brantz, Mayor

Brenda Henson, Board Secretary

Elizabeth Shay, Planning Commission Chair

Continuation of Planning Commission Meeting

Chair Shay called for a break from 8:23 pm until 8:31 pm. She welcomed Smith Warren as the newest member of the Planning Commission. Commission Member Warren stated he was a sophomore at App

State and was looking forward to being a member of the Planning Commission. Commission Member Behrend wanted to let everyone know that Commission Member Warren was going to work for her.

Public Comment

Ms. Shook stated that no one had signed up for public comment.

Approval of Meeting Minutes

Commission Member Tippet made a motion to approve the April 5, 2021 Special Planning Commission meeting minutes and the May 24, 2021 Planning Commission meeting minutes. The motion was seconded by Commission Member Halbert.

Vote: Aye – All
Nay – None

The motion passed.

Case PL04893-070721 & PL04894-070721 Blue Ridge Tourist Court – Historic Landmark Designation

Blue Ridge Tourist Court, LLC has filed Local Historic Landmark Applications to designate the properties at 560/574 Old East King Street, Watauga County PIN: 2910-89-5295-000 (Case PL04893-070721) and at 187/191 Cecil Miller Road, Watauga County PIN: 2910-89-7127-000 (Case PL04894-070721) as a Local Historic Landmark.

Historic landmark designation is processed as an amendment to the Town's official Zoning Map (similar to a general use zoning map amendment).

Vice-Chair Plaag recused himself from the case involving Blue Ridge Tourist Court.

Chair Shay commended the applicant for a really compelling and interesting case and the historic preservation consultant who wrote up such a nice analysis. She stated she really enjoyed reading it.

Commission Member Warren asked Mr. Williams what he planned to do with the Tourist Court after the restoration was complete. Ms. Shook explained that the public hearing was closed, and discussion should occur during the public hearing while Town Council was still present.

Chair Shay noted that things like stormwater management and buffering vegetation were discussed. She asked if a traffic impact study would be required. Ms. Shook reminded everyone that tonight's request was for the designation of the properties as a Local Historic Landmark and noted that things like stormwater, buffers, and traffic would have been handled under the Conditional District approval that had already taken place. Chair Shay thanked Ms. Shook for the clarification.

Commission Member Behrend stated she had no problems with this request and thought it should be approved.

Ms. Shook noted that the motion and vote had been revised in the meeting packet. She stated that Planning Commission really only needed one motion and vote, and it would encompass all the things that the two votes they used to have would encompass. Ms. Shook stated that if Commission members did not like this change, they could revisit it later.

Motion and Vote: Chair Shay 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 they are consistent with:

Comprehensive Plan Policy 2.1.1 Economic Development

- 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.

Comprehensive Plan Policy 2.3.2 Community Character

- 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.

The Planning Commission recommends approval of the proposed amendment of the Town's Zoning map and believes approval to designate the properties as local historic landmarks is reasonable and in the public interest because it advances the Town's priorities in historic preservation and high country, small town character.

The motion was seconded by Commission Member Tippet.

Vote: Aye – All
 Nay – None
 Recused – 1 (Plaag)

Vice Chair Plaag rejoined the meeting.

Case PL04797-060921 Watauga County Courthouse – Conditional District Zoning Map Amendment

John Muter, on behalf of Watauga County, has filed a Conditional District Zoning Map Amendment Application to rezone 842 West King Street (Watauga County Courthouse) from B1 Central Business to Conditional District B1 Central Business for a site specific approval for Use 5.16 Government Facility.

The request for Conditional District approval is required pursuant to UDO Subsection 16.08.04(B)(2)(a) which states that the height of existing buildings may not be increased unless approved under the Conditional District Zoning Map Amendment Process. Watauga County is proposing to install a new pitched metal roof which will increase the height of the building, thus requiring a Conditional District Zoning Map Amendment.

The property owner is not proposing any other changes to the current use or any other physical modifications to the existing site other than the installation of the new roof.

Vice-Chair Plaag stated it would have been nice to know what they were actually proposing to do instead of getting a really bad architectural drawing that depicted something completely different. He stated he based nearly all of his questions on what appeared to him to be an absolute architectural atrocity. Vice-

Chair Plaag stated that what they were actually planning to do was substantially less offensive, even though it was still offensive in some ways, but it had much less of an adverse impact on the Courthouse in terms of its architectural style and its historic appearance than if they just put a party hat on it. Vice-Chair Plaag stated he hoped that the applicant and their counsel understood that his questioning was largely coming from a place of misunderstanding based on the information provided in the meeting packet. He noted that he had concerns and some objections to what was proposed, but it is substantially less horrifying than what he thought was being proposed.

Commission Member Tippetstated he felt much better about the case based on the additional material that was presented. He admitted that he had never really looked at the Courthouse building as historic because, even though it was over 50 years old, it was just not a very attractive building. Commission Member Tippetstated he understood they were in a bind due to the patching they have had to do for over 20 years. He noted that he liked the potential application of the very thin solar and hoped that tonight's discussion might prompt the County to look into the idea a little bit more.

Vice-Chair Plaag noted that during a Conditional District Zoning Map Amendment request was the time to ask specific things about the project. He pointed out that the only reason solar came up today was that Council Member LaPlaca mentioned it. Vice-Chair Plaag stated that no solar was proposed in this project, and the County had not committed to doing solar on the Courthouse. He stated, from his perspective, that was a topic that should not be part of Planning Commission's decision process on this particular application because there was no promise of it and no condition agreed to for it. Vice-Chair Plaag thought it was exciting that the opportunity was there but cautioned Commission members not to be swayed in their decision-making simply because that possibility existed.

Vice-Chair Plaag felt it was important to recognize that the historic standard that currently exists in the Ordinance was an attempt by the Town to essentially preserve the Downtown area until such time as a district could be established that had a more comprehensive way of looking at what was historic, what was contributing to the district, and what was not. He noted that the Courthouse was part of the proposed Downtown Historic District, but the Courthouse would not be a contributing building to the character of the district. This meant that the HPC decided, when evaluating various buildings Downtown, that the Courthouse building, as currently constructed, did not fit as a building that contributed to the significance of the district. Vice-Chair Plaag stated that the biggest reason was because it fell outside of the period of significance. He noted that the original part of the Courthouse was built in 1968, and the front was added in 1982, which was a substantial change to the original appearance of the building. Vice-Chair Plaag further explained that if a historic district was established, the HPC would look at what happened on non-contributing buildings because they wanted changes that were happening to be compatible with the character of the district. He stated that if the Downtown Historic District was established, the HPC would probably not approve this roof request. However, he noted that there were good reasons, when you have a historic district, to sometimes allow things to happen that would not be in keeping with the district. Vice-Chair Plaag provided the following example; You had a house that was built in 1982, it was in the middle of the Downtown Historic District, and it had been built with vinyl siding. Normally, vinyl siding was not a permitted material, but that was how the house was built. The house would be considered non-contributing to the district. Years later, the vinyl siding melted off the house and needed to be replaced, and you wanted to replace it with vinyl siding again. Vice-Chair Plaag stated it would be dumb to not allow vinyl siding on the house that originally had vinyl siding on it in 1982 because it was not a material compatible with a district. He stated that was the kind of thing that could be allowed for a non-contributing building in this limited instance. Vice-Chair Plaag expressed concern about setting a precedent by allowing a non-contributing building within the district to do things that were not appropriate to that building historically. He stated that the County tried to justify putting a metal roof on the Courthouse by saying there were two other County buildings right next door that also had metal roofs.

Vice-Chair Plaag stated he did not want to set that precedent, especially since they were on the verge of establishing a district Downtown. All of that said, Vice-Chair Plaag stated he was somewhat relieved to see that the design was much different from what it appeared to be in the meeting packet and felt this was probably the least offensive way of accomplishing the County's goal.

Commission Member Behrend asked if there was some way that they could make a suggestion that solar installation was not required but encouraged. Ms. Shook stated she had not looked at how solar worked with what was in the current Ordinance and was hesitant to have any condition related to solar. She noted that solar was not proposed as part of this project, and any conditions of approval had to be agreed upon by the applicant.

Ms. Shook stated that there was not a Downtown Historic District at this time, so there would be no precedent to set. She noted that a public hearing was scheduled next month regarding the adoption of a Downtown Historic District. Ms. Shook stated that three variances were granted by the Board of Adjustment regarding materials, features, and height and the height variance necessitated the Conditional District request. She felt that, as far as precedent, approval of one case did not necessarily mean there was a precedent set for the next case.

Ms. Garrett stated she did not mind, largely because of her own personal beliefs, that there be some kind of condition to at least show a good faith effort to explore the possibility of incorporating solar at the Courthouse. She stated she realized commitments like that were not necessarily enforceable, but they could show a good faith effort.

Ms. Shook felt that a lot more went into getting solar and making it a useful strategy than just checking the Ordinance and speaking with the power company. She stated that the time it would take for the County to actually move forward with solar would likely be a while, and by that time, the Downtown Historic District could be established, which would have different ramifications regarding solar. Ms. Shook again stated she was hesitant to ask the applicant to consider a condition on solar.

Vice-Chair Plaag asked if height within the B1 had some sort of provision for stepping back from the facade plain and an additional amount of rise being permitted. Ms. Shook replied that the primary and secondary height requirements applied in other zoning districts, but B1 only had a primary height requirement.

Chair Shay felt like there was a lot of squishiness in the characteristics that were presented for both replacing a membrane roof or building a metal roof. For example: was the lifespan of a membrane roof 10-15 years or 20-25 years, and; was the lifetime of a metal roof 30-35 years or 60-70 years. Chair Shay stated that the outer limits of both of those made a big difference, and they did not really have firm numbers either. She noted she was not completely confident of the sight-line views from King Street and that they had been represented as they would actually see them standing on King Street. Chair Shay stated it was mentioned that an engineering analysis was done on whether the building could support the weight of a new roof and asked if that was on file somewhere. She felt like the parameters had been laid out, but there were a lot of details that could have been provided.

Ms. Shook stated, in response to the engineering report, that the report would not be required until they obtained a building permit and was not something staff would normally require as part of the Conditional District process.

Vice-Chair Plaag stated it was conceivable that the membrane roof that was on the Courthouse was the original membrane roof, and it had been patched and patched for 53 years. He stated it was also possible that the original roof made it 20 some years and was replaced around the time of the addition to the Courthouse in the 80's. Vice-Chair Plaag noted that both of those scenarios were speculative. He stated he kind of bristled at the idea that this was a hardship of some sort because the County should have been prepared to replace the roof given the life span of the membrane roof. Vice-Chair Plaag stated that one

of the presentations in the Board of Adjustment cases was that there was a prior administration when the roof was put on. He felt that claiming the current administration for the County was a separate applicant from the prior administration was a bunch of hogwash, and he was not swayed at all by that logic.

Ms. Shook stated that the Board of Adjustment's decision regarding the variances was done and, while she did not think the Planning Commission could completely disengage the BOA's decision from their decision, she encouraged them to stick to the issue at hand.

Chair Shay stated she agreed with Vice-Chair Plaag in that she did not find the County's argument to the Board of Adjustment compelling. She felt there were other reasons they could have argued for hardship. Ms. Shook stated it was the responsibility of the BOA to determine hardship. She asked, for clarity, if Commission members were reviewing the Board of Adjustment's decision to grant the variance or if they were saying that the overall hardship regarding the membrane roof versus the pitched roof did not sway them towards allowing the roof to go higher.

Vice-Chair Plaag replied that he was responding to the case presented by Ms. Garrett, because, in essence, she presented her Board of Adjustment case to Planning Commission and Town Council. He stated that part of the discussion was that the height adjustment was necessary to facilitate a solution, and that was not the responsibility of Ms. Garrett's client, Watauga County. Vice-Chair Plaag stated what he was saying was that replacing the roof was the responsibility of the County as part of maintaining a building, and, while he was referencing things that were said in the BOA, he was only doing that because they were also said in the presentation of the case tonight. He stated he was not trying to litigate something that had already been litigated, but was responding to the case that was presented to them and the reasoning for it. Ms. Shook stated she understood and just wanted to make sure it was clear for the record.

Chair Shay stated she knew Brutalist architecture and was reassured by the newer image of the building that was presented during the meeting.

Commission Member Behrend stated that the roof they were proposing, once they found out exactly what it was, made a lot more sense for the future because it would last longer. She noted that the fact that the roof could allow for solar in the future was a positive.

Chair Shay stated she appreciated the applicant's comments that they would be happy to consider solar even though it was not necessarily a part of this request and felt they should try to look for ways to make it happen.

Commission Member Behrend stated she was not thinking of solar on the membrane because attaching it would cause more damage to the membrane itself.

Motion and Vote:

Commission Member Tippet 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 they are consistent with:

Comprehensive Plan Policy 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.

Comprehensive Plan Policy 2.3.2 Community Character

- 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.

- 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.

The Planning Commission recommends approval of the proposed amendment of the Town's Zoning map and believes approval to rezone the property Conditional District B1 Central Business is reasonable and in the public interest because the new roof structure seems to be the most logical way to protect the public facilities and records of Watauga County. The following conditions apply:

1. Where there is a conflict between the application information and the plans (plan received June 15, 2021) the plans 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 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.

The motion was seconded by Commission Member Behrend, who wished to amend the motion to add to condition #2 that the applicant explore the use of solar applications to the roof structure. Commission Member Tippet accepted the amendment.

Ms. Shook reminded Commission members of the condition that the applicant agreed to during the public hearing that the final design would mimic the photo elevations shown from the Board of Adjustment packet and that the building elevation drawing was not representative of the actual roof.

Vice-Chair Plaag wished to amend the motion to include as condition #4 that the final design would mimic the photo elevations shown from the Board of Adjustment packet and that the building elevation drawing was not representative of the actual roof. Commission Members Tippet and Behrend accepted the amendment.

Vote: Aye – 5
Nay – 1 (Plaag)

The motion passed.

Unified Development Ordinance Update

Ms. Shook stated that the changes that Planning Commission heard at their last public hearing were approved by Town Council. She noted that the new UDO was now online and was effective on July 1, 2021. Ms. Shook asked Commission members to let staff know if they would like a printed copy of the new UDO.

Vice-Chair Plaag asked if Commission members needed to keep or return the blue binders containing non-conforming parcels that they were given almost two years ago. Ms. Shook asked everyone to hold on to those binders because that task was still on Planning & Inspections' work plan.

Discussion of Commission Chair and Vice-Chair

Ms. Shook directed Commission members to the Chair and Vice-Chair application located in the meeting packet. She stated that anyone who wished to seek the office of Chair or Vice-Chair would need to submit their application prior to the next meeting, which would be held in person. Those applications would be placed in the next meeting packet and the Planning Commission would review the applications and make

a recommendation to Council and Council would then appoint the Chair and Vice-Chair. Ms. Shook noted that the Chair and Vice-Chair positions were one-year positions. Chair Shay asked what happened if nobody put in an application for Chair or Vice-Chair. Ms. Shook replied that Council still had the authority to appoint a Chair and Vice-Chair.

Other Matters

Ms. Shook reminded everyone that there would be a special public hearing on the Downtown Planning Projects next month on August 23. She stated that signs should start going up through the Downtown area next week as part of the Town's notification to meet State law requirements.

Chair Shay asked what it would take to make Council change their mind about going to in-person meetings. She felt that the next month of epidemiology was going to be very bad. Ms. Shook stated she could only give Commissioners the guidance that Council had given. She stated she would forward any concerns to John Ward, Town Manager, who could then communicate those concerns to Town Council. Ms. Shook explained that Town Council made a decision for all boards, including themselves, to start meeting in person beginning in August. Ms. Shook asked how many Commission members were concerned about in-person meetings based on the current trajectory. All members indicated they were concerned.

Adjournment of Planning Commission

Vice-Chair Plaag made a motion to adjourn the meeting at 9:28 pm. The motion was seconded by Commission Member Tippet.

Vote: Aye – All
Nay – None

The motion passed.

Elizabeth Shay, Planning Commission Chair

Brenda Henson, Board Secretary