

**PUBLIC HEARING MINUTES
MONDAY, SEPTEMBER 25, 2017 AT 5:30 P.M.**

COUNCIL MEMBERS: Mayor Rennie Brantz, Mayor Pro-Tem Lynne Mason, Loretta Clawson, Charlotte Mizelle, and Jeannine Underdown Collins

PLANNING COMMISSION MEMBERS: Chairperson Connor Boyle, Elizabeth Shay, Becky Gosky, Abie Bonevac, and Alan Lee

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections, Brian Johnson-Urban Design Specialist, Christy Turner-Senior Planner, Marty Little-Planner, and Brenda Henson-Board Secretary

OTHERS PRESENT: John Ward-Town Manager, Allison Meade-Town Attorney, and Phil Trew-High Country Council of Governments

CALL TO ORDER

Mayor Rennie Brantz called the Council to order at 5:31 p.m.

Planning Commission Chairman Connor Boyle called the Planning Commission to order at 5:31 p.m.

APPROVAL OF MINUTES

Council Member Mizelle made a motion, seconded by Council Member Collins, to approve the June 26, 2017 Public Hearing minutes as written.

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

Planning Commission Member Shay made a motion, seconded by Planning Commission Member Lee, to approve the June 26, 2017 Public Hearing minutes as written.

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

CASE PL00915-091117 CULVERTS – UDO TEXT AMENDMENT

Jane Shook, Director of Planning and Inspections stated she would like to have some discussion and direction from Council and the Planning Commission regarding the recommended text contained in the packet so that staff could fine tune the language before presenting it for a vote. Ms. Shook noted that the text in its current form would also need approval from the State.

Ms. Meade stated that, while the Town follows basic State requirements, there is very general language in the UDO and staff needs clearer direction. She explained that the purpose of the text change was to provide better control when an applicant wanted to culvert a stream on their property in an effort to maximize the commercial use of the property. Ms. Meade noted that Council had expressed a desire to promote natural streams instead of piped or channelized streams. She explained that the text change would not eliminate culverts that were needed to access property or replacements of existing culverts.

The text change would primarily affect new construction projects. Ms. Meade stated that language was still needed for perineal and intermittent streams as well as allowable plant materials.

Mayor Brantz asked if this text would affect the Precision Printing culvert failure. Ms. Meade replied that the Precision Printing culvert would be grandfathered and not be affected by this text change.

Mr. Ward reiterated that daylighting of streams would be required for new development with the exception of access to property.

Council Member David asked about the plant species. Mr. Ward felt there would be a reliance upon staff to create a plant list that would be acceptable for our region. Chairman Boyle felt Mr. Johnson had a good knowledge of what would be appropriate for the area.

Chairman Boyle felt that stream stabilization and restoration needed to be protected and asked if there could be some clarifying language in Section 20.04.03 to note that language pertained to a project during the construction phase.

Mr. Ward asked if the Town was restricted to whatever the State buffer requirements were and Ms. Meade replied she would check on that and see.

Chairman Boyle suggested that the allowance of 21 calendar days to place groundcover on disturbed areas in 20.04.03 (C) be changed to 7 days.

Council Member David asked if the Town wanted to mandate the daylighting of streams that were currently culverted. Ms. Meade suggested that the Town not mandate daylighting of current culverted streams but encourage daylighting the stream. Mr. Ward added that mandating the replacement of a culvert with the daylighting of the stream may not be feasible for all properties. Council Member Mason felt the Town should find ways to incentivize the daylighting of streams. Chairman Boyle stated there was grant money that could help pay for daylighting streams.

There was no one from the public who wished to speak.

Mayor Brantz closed the public hearing on this case at 5:57 p.m.

DISCUSSION OF COMPREHENSIVE PLAN/BOONE 2030 PLAN MERGER

Ms. Shook noted that Council gave staff direction in November, 2016 to merge the Comprehensive Plan with the Boone 2030 Plan and Phil Trew with the High Country Council of Governments was present to provide an update on the work to date.

Mr. Trew began by stating his original estimation of being able to complete the merger in July and August was a little too optimistic. He noted that combining the Comprehensive Plan Map with the 2030 Plan Map was not feasible so the map would become what he called the Future Land Use Map. Mr. Trew stated he had compared and updated the plan so it would contain current information such as population and transportation data, narratives have been shortened, and obsolete information has been deleted. Mr. Trew stated the plan was currently down to 46 pages. He felt there were a few discrepancies in the plan that would require Town Council input. Mr. Trew stated he would like to get public involvement in October or November before developing the final draft to present to Council.

Ms. Shook stated that some of the photos currently contained in the 2030 Plan would be eliminated. She stated that staff would be working with other committees to get their input on sections that pertain to their particular committee. Ms. Shook stated she would like to have a kick-off meeting to obtain public input regarding the plan merger and update. She hoped this updated, merged plan would get the Town through the next 5 years, at which time a more comprehensive update should be conducted.

DISCUSSION OF ADDITIONAL USES IN THE M-1 ZONING DISTRICT

Ms. Shook noted that the Industrial Park was not the only M-1 zoned property in town. She stated there were about 23 properties with an M-1 zoning designation. She noted there were several vacancies in the Industrial Park and an interest in occupying those vacancies had been shown by other uses not currently allowed in an M-1 district. Ms. Shook stated letters had recently been sent to M-1 property owners but she would like more time to hear any feedback from those letters. She hoped to bring recommendations to the October Public Hearing.

Mr. Ward cautioned that some uses could take property off of the tax records. He also expressed concern with possible conflict of users.

Ms. Meade asked if other jurisdictions were facing these issues. Ms. Shook replied that industrial parks have taken on a shopping mall concept. Ms. Shook stated that, while manufacturing has decreased in North Carolina since 2000, the Town did not want to eliminate manufacturing altogether by allowing other uses. Ms. Meade asked what other uses would be acceptable in an M-1 zone. Ms. Shook suggested retail uses, office uses, and possibly recreation uses with some uses being more site specific. Ms. Shook stated residential uses would not be allowed.

Council Member Mason expressed concern that current uses allowed in the M-1 might not have a place to go if some other use takes up the M-1 space.

Council Member David felt it was important to protect uses that are not allowed anywhere else. He noted that the Table of Uses in the UDO did not line up with the Building Code. Council Member David stated the Town needed to come up with what our definition was of manufacturing.

Ms. Shook stated that Boone did not have the infrastructure to attract large manufacturing due to the lack of air, rail, or transit.

Mr. Ward cautioned Council about allowing churches to occupy M-1 districts due to the fact that they often times also ran a daycare or preschool and these uses might not be compatible with manufacturing. Council Member Mason replied that uses needed to be compatible in order to reduce complaints about noise and traffic and urged caution about use allowed. Mr. Ward stated he was a proponent of being cautious and taking small steps.

Council Member Mason felt the Town needed to look at how to bring higher paying jobs to the area and suggested working with the EDC to come up with ideas.

Mayor Brantz expressed the importance of uses fitting with the character of the community.

Ms. Shook asked if Council wished for staff to move forward with making limited changes to bring back for further discussion. This was the general consensus of the Council.

DISCUSSION OF UNIVERSITY SWING SPACE

Ms. Shook explained University “swing space”. She stated that when buildings were being renovated or were under construction there was often times a need for the University to lease space elsewhere to temporarily house the use until construction was complete. Ms. Shook noted that ASU was interested in leasing space in the Industrial Park.

Council Member Mizelle felt there should definitely be a time limit and the space should be leased only. Ms. Meade added that the underlying use must be compatible and this would be a very special and limited category.

Ms. Shook explained that all UDO requirements would still have to be met for any renovations to the the leased space.

Council Member Mason felt the “swing space” should only allow B-3 uses.

Council Member David felt this would not line up with the Building Code because the UDO and the Building Code do not classify uses the same. Ms. Shook replied that the Building Code were different documents, regulating different items and would always most likely be different from each other.

Council Member Mizelle expressed concern with encroachment into neighborhoods.

Council Member Clawson stated she had some problems with the idea.

Ms. Shook stated that ASU was interested in meeting with Town Council to discuss their future building plans. Council agreed that this was a good idea and Council Member Mason felt Planning Commission should be included in this discussion.

Ms. Shook suggested that Council consider allowing this temporary use in the B-3, M-1, and possibly the O/I zoning districts.

Commission Member Lee asked if academic classes could be held in a Swing Space. Ms. Shook replied that it could be possible and cited ASU’s Solar Decathlon as an example. Commission Member Lee asked if there would be public transportation to these “swing spaces”. Ms. Shook felt that would be something the University would have to consider.

ADJOURNMENT

Mayor Brantz adjourned the Council from the hearing at 7:06 p.m.

Chairman Boyle welcomed new Planning Commission members Alan Lee and Abie Bonevac. Approval of the June 26, 2017 Planning Commission minutes was overlooked on the agenda and will be considered at the next meeting.

With no further business, Chairman Boyle adjourned the Planning Commission at 7:08 p.m.

Mayor, Rennie Brantz

Board Secretary, Brenda Henson

Planning Commission Chairman, Connor Boyle