TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING MINUTES
MONDAY, SEPTEMBER 25, 2023, 6:00 PM
1500 BLOWING ROCK ROAD AND VIA WEBEX SOFTWARE

COUNCIL MEMBERS PRESENT: Mayor Tim Futrelle, Mayor Pro Tem Edie Tugman, Todd Carter (joined at 6:11 p.m.), Dalton George, Becca Nenow, and Virginia Roseman

PLANNING COMMISSION MEMBERS PRESENT: Eric Plaag-Vice Chair, Chris Behrend, Adrian Tait, Frank Veno, and Smith Warren

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections, Mike James-Senior Planner, Christy Turner-Senior Planner, Brandon Wise-Environmental Planner, and Brenda Henson-Board Secretary

OTHER TOWN STAFF/REPRESENTATIVES PRESENT: Amy Davis-Town Manager, Allison Meade-Town Attorney, and Todd Moody-Public Works Director

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Call to Order

Mayor Futrelle called the Town Council to order at 6:07 p.m. Vice Chair Plaag called the Planning Commission to order at 6:07 p.m. The meeting was held in the Town Council Chambers at 1500 Blowing Rock Road, as well as via WebEx.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Council Member Roseman made a motion to approve the July 24, 2023, Public Hearing minutes as written. The motion was seconded by Mayor Pro Tem Tugman.

Vote: Aye – 4
Nay – None
Absent – 1 (Carter)

The motion passed.

Commission Member Behrend made a motion to approve the July 24, 2023, Public Hearing minutes as written. The motion was seconded by Commission Member Tait.

Vote: Aye – 5
Nay – None

The motion passed.

PUBLIC HEARING

Ms. Jane Shook, Director of the Town of Boone Planning & Inspections Department, provided a brief explanation of the guidelines for public hearings.

Council Member Carter joined the meeting via WebEx at 6:11 p.m.

Case A23-0003 Andrea Brown – General Use Zoning Map Amendment

Andrea K Finney, formerly Andrea Brown, has submitted a General Use Zoning Map Amendment application to rezone a parcel located off of Bub Teems Road (Watauga County PIN: 2920-09-6177-000) from R3 Multiple-Family Residential and RA Residential/Agricultural to B3 General Business.

Mr. Mike James, Senior Planner with the Town of Boone Planning & Inspections Department, presented the request as it was outlined in the meeting packet. He stated that the rezoning of the subject property to B3 would place it in the same zoning district as the surrounding properties owned by Ms. Finney.

Ms. Chelsea Garrett, attorney for Ms. Finney, explained that the property was purchased years ago by Jim and Andrea Brown. When the Browns divorced in 2010, Ms. Brown, now Ms. Finney, became the sole property owner. Ms. Garrett stated that the subject property was supposed to have been a road but was never developed as such. She noted that adjacent property owners, Jason Gaston, Scott Porter, and the Miller heirs had implied rights-of-way to the property for use of the road.

Ms. Finney further explained that when she and Mr. Brown purchased the property they did not know about the proposed road and the rights-of-way that were attached to the property. She stated that this information was only recently discovered when she began trying to sell the property. Ms. Finney noted that all of the property owners having an implied right-of-way had been contacted and they had all agreed to abandon their right-of-way to the road.

Ms. Garrett noted that there was an R1 zoned property across Bub Teems Road. She asked Ms. Finney if she had spoken to that property owner. Ms. Finney replied that she had not spoken with them. Ms. Garrett asked Ms. Finney how much road frontage there was on the subject property. Ms. Finney stated that there was about 22' of road frontage on Bub Teems Road.

Ms. Garrett stated that due to the lot width, no R3 or RA uses could be built on the lot. She added that, if rezoned, any use in the B3 would require a Special Use Permit due to the transitional zone.

Ms. Garrett called Mike Boone to speak. Mr. Boone stated he owned property across the street and would like to move his Magic Cycles business to that property. He did not think anyone would want to live in a house on Ms. Finney's residential property and thought it would be more beneficial for it to be zoned B3.

Ms. Garrett noted that she had spoken with Jason Gaston who owned the neighboring property containing the newly built apartment buildings called The Collection. She stated that Mr. Gaston was supportive of abandoning the implied right-of-way.

Ms. Shook wished to clarify Ms. Garrett's statement that any use in the B3 would require additional review. She explained that there were some uses in the Table of Permissible Uses that were allowed by right in the B3 and would not require additional review by either Town Council or the Board of Adjustment.

Mayor Pro Tem Tugman asked if easements for the road were still in place. Ms. Garrett replied that Ms. Katie Walker, an attorney who performed the title search, found that there were only implied rights-of-way and not deeded rights-of-way. She noted again that all of the affected property owners had agreed to disclaim any right to use the roadway.

Council Member Roseman stated that when the hotel came before the Town Council she was supportive of the request, and she was supportive of this request. However, she wondered if there could be a condition to require legal documentation showing that all of the affected property owners had relinquished their rights to the road. Ms. Shook reminded everyone that this was a request for a General Use Zoning Map Amendment and conditions could not be attached to the approval. Council Member Roseman understood and stated that she was supportive of the request to rezone the property to B3.

Ms. Garrett stated that rights-of-way could not be affected by zoning.

Vice Chair Plaag stated that parts of the property were located in flood zones. He asked how that would affect possible development. Mr. James replied that there were no development restrictions in the 500-year floodplain and development in the 100-year floodplain would require the buildings to be elevated. Vice Chair Plaag expressed concern about putting in fill dirt to elevate the property and how this would affect stormwater runoff.

Mr. Brandon Wise, Environmental Planner with the Town of Boone Planning & Inspections Department, stated that, based on his preliminary review, any building would have to be elevated about 2'. He added that pre and post-stormwater would have to be captured. Mr. Wise stated that new development in the 100-year floodplain would require an elevation certificate or new development could be built on portions of the property that were not located within the 100-year floodplain. Mr. Wise also concurred that these regulations would have to be met whether the project was allowed by right or allowed subject to a hearing.

Vice Chair Plaag asked about any current non-conformities. Mr. James replied that the lot currently did not meet the minimum lot size, lot width, or street frontage requirements for its zoning classifications. He noted that if the lot was rezoned to B3 it would still be non-conforming, but the non-conformity would be reduced.

Ms. Garrett asked if it was correct that the flood regulations would apply no matter what the property was zoned. Mr. James stated that was correct.

There was no public comment and no further questions.

Mayor Futrelle closed the public hearing for this case at 6:50 p.m.

Case A23-0149 Faculty Street Townhomes – Conditional District Zoning Map Amendment

A&R Mountain Properties, LLC has requested a Conditional District Zoning Map Amendment for property located on Faculty Street (Watauga County PIN: 2910-14-4592-000) to construct 12 townhomes with a site-specific development plan for Use 15.03 (Townhouse).

Ms. Christy Turner, Senior Planner, presented the request as it was outlined in the meeting packet.

Ms. Shook wished to make a clarification in the Staff Report on page 94 of the meeting packet. The last sentence on that page indicated that the proposed development was not within 125' of a protected residential zoning district so the transitional zone mitigation was not required. Ms. Shook stated this was an error by staff, noting that the property did trigger transitional zone mitigation requirements.

Mr. Tyler Moffatt, attorney for the applicant, introduced Mr. Todd Rice and Mr. Bill Aceto as members of A&R Mountain Properties, LLC.

Mr. Rice stated he had been in real estate for 19 years and both he and Mr. Aceto lived locally. He noted that due to high costs, the townhomes would be market-rate housing. Mr. Rice stated that all landscaping requirements would be met, the development would be accessed from Faculty Street, and this location provided the ability to walk, bike, or ride the bus. He stated that the former 2030 Plan encouraged building up instead of out, noting that the townhomes would be 40' in height and contain ground-level parking with two stories above. Mr. Rice stated that businesses struggled to have enough workers, which could be a result of a lack of housing in Boone.

Mr. Jesse Hanlin with Blue Ridge Engineering stated that the photometric plan met the foot candle requirements. He noted that full cut-off fixtures would be used to reduce any spillover of light. Mr. Hanlin stated that elevation changes were not taken into consideration in the lighting plan.

Mr. Moffatt stated that because the project triggered transitional zone requirements, they would be addressing those concerns. He presented a color rendering of the buildings that was not included in the meeting packet nor provided to staff prior to the meeting. Mr. Moffatt stated that traffic would not enter from or exit into the neighborhood. He also noted that the project did not trigger a traffic impact analysis.

Council Member Roseman stated that someone who worked at a restaurant could not afford market rate homes. She added that she appreciated the developer's effort to keep the traffic out of the neighborhood by only having access to the property from Faculty Street.

Council Member Nenow asked how far it was from the back of the buildings to the property line. Mr. Hanlin replied that it was a minimum of 25.5' to the property line, including the retaining walls at the shortest distance.

Mayor Pro Tem Tugman expressed concern with 40' high buildings being up against the neighborhood.

Mr. Moffatt presented a rendering depicting the building height in relation to the grade at the property line. This rendering was not contained in the meeting packet nor provided to staff prior to the meeting. Mayor Futrelle asked that all information presented during the public hearing be provided to staff so it could be distributed to board members and the public.

Council Member Nenow asked about the fine the property owners received for cutting trees on the property. Mr. Aceto explained that they cut some underbrush and cut in a small access path for the chipper. In this process, they cut some trees that were too large and received a fine from the Town, which they paid.

Mr. Brent Davis, the architect for the project, stated there would be six 1-bedroom units and six 2-bedroom units. He outlined the floor plan for each level. Mr. Davis stated that it would be 27' from the patio level to the ridge of the buildings. He noted that behind the buildings there would be a 4' retaining wall, a 4' slope, then another 4' retaining wall with a 6' wooden fence on the top. Mr. Davis added that the exterior of the buildings would meet all of the feature schedules for appearance.

Council Member Roseman offered, for purposes of scale, that Jerry Butler's apartment building on Faculty Street had a parking garage with two stories above.

Mayor Pro Tem Tugman asked about the installation of a sidewalk along Faculty Street. Ms. Shook replied that a 5' sidewalk was required for the development. However, this area was being considered by the Great Trails State Plan for a 10' wide multi-modal path so Public Works would prefer that the property owner pay a fee-in-lieu of building the 5' sidewalk. Mr. Todd Moody, Public Works Director, added that a feasibility study was being conducted that would affect Faculty Street, but the study would not be completed until 2024. Mr. Hanlin noted that the development did have the space for a 10' path.

Mr. Moffatt stated that the property owners would be willing to pay a fee-in-lieu of the sidewalk.

Vice Chair Plaag stated that renting by the bedroom caused Boone's market rate to be high. He asked if the property owners would be willing to accept a condition that the townhomes would be rented by the unit instead of by the bedroom. Mr. Aceto replied that he would be willing to accept that as a condition. He stated that adding more housing stock would eventually lower costs.

Vice Chair Plaag asked Mr. Aceto if he would be willing to accept a condition that the townhomes not be marketed as student rentals. Mr. Aceto stated that they were unsure if the townhomes would be for rent or sale, but he would be willing to accept a condition that the units would not be marketed exclusively as student rentals.

Vice Chair Plaag asked if it was correct that one car per unit would be in the garage and one car would be outside. Mr. Aceto stated that was correct.

Vice Chair Plaag referred to the neighborhood meeting. He stated that the board meeting packet provided the questions that were asked at the neighborhood meeting but not the answers or any commitments by the property owners. Mr. Moffatt replied that the neighborhood meeting was recorded and that recording could be provided if necessary. He added that no commitments were made because they did not have the full plans for the project at the time of the neighborhood meeting.

Mayor Futrelle invited public comment.

Mr. Martin Root of 214 Wintergreen Lane stated he was concerned about the number of trees that would be removed from the property as the owners would be clear-cutting the parcel. Mr. Root noted that Boone was a Tree City USA and asked if trees were still important to the Town Council. He also expressed concern that the parcel contained slopes greater than 30%. Mr. Root stated that the UDO required a three-year waiting period for development after deforesting property. He felt there would be more benefit for long-term residency if the townhomes were sold instead of rented. Mr. Root noted that he lived directly above the subject property and was most concerned about the trees and the quality of life for the residents in the neighborhood.

Timothy Harris of 349 Highland Avenue stated his main concern was about slope development. He added that the soil on the slope was being held together by the root system of the trees. Mr. Harris noted that he was concerned with the stability of his property due to the disturbance of the slope.

Shirley Harris of 349 Highland Avenue stated she never imagined this kind of density being placed on this postage stamp-sized property.

Emily Stallings of 390 Highland Avenue felt this development was all about money. She stated that the increased traffic from the development on Faculty Street would cause people to use Highland Avenue.

Davis Hankins of 365 Highland Avenue stated he had the longest contiguous property line shared with the subject property. He expressed concern with the integrity of their homes due to the cutting of the slope and indicated that he did not feel this was a good development for their neighborhood.

Susan Owen of 195 Wintergreen Lane stated that the proposed development was a win-lose. She showed photos she had taken from the property of the current view and the potential view after the development of the townhomes. Ms. Owen noted that there would be 24 cars on the property. She stated she did not see any ADA features in place. Ms. Owen pointed out that the development would start 14’ above Faculty Street. She stated that the trees to be planted along the back property line would be 8’ tall and 10’ apart. She noted there was a need for housing in Boone and she hoped this could be made into a win-win development instead of a win-lose for the neighborhood.

Nicole Schoychid of 365 Faculty Street stated she owned the duplex next door. She expressed concern about parking, access, and construction hours.

Council Member Nenow stated she was concerned with slope stability. Mr. Moffatt replied that a geologist would have to complete a study for the project. Ms. Shook explained that slope steepness could require a geologist or a geotechnical engineer to evaluate. She noted that this information was required during the zoning compliance process. Mr. Wise added that a geologist conducted a study and based upon that study a geotechnical engineer might be required.

Council Member Nenow stated that putting up retaining walls so buildings could be built did not provide a quality of life in Boone.

Council Member Roseman noted that the statement that more housing stock made lower prices fell flat to her because she had not seen that happen yet. She did feel that townhomes were what Boone needed.

Mr. Aceto stated that townhomes were less student-oriented. He added that 40% of development costs were due to regulations.

Commission Member Veno what the ramifications were of requesting a Conditional District Zoning Map Amendment. Ms. Shook explained that a Conditional District provided a site-specific development plan along with a potential zoning change. In this instance, she noted that the property was already zoned R3 and that would not be changing.

Commission Member Tait asked if the property owners would be willing to plant larger trees along the back property line. Mr. Aceto replied that he would be open to installing larger trees or different types of trees.

Commission Member Tait asked if the property owner would be willing to have only owner-occupied units. Ms. Allison Meade, Town Attorney, stated that was not permitted under North Carolina law.

Mr. Hanlin stated that the landscape plan indicated there would be 10 trees in every 100'.

Ms. Shook wished to clarify that the property owner was committing to additional plant material, change in species, and increase in size and spacing. Mr. Aceto replied that was correct.

Vice Chair Plaag referred to the requirement of on-site property management or an owner's association and asked why the property management would be located within 500' of the property at 899 Blowing Rock Road and not on-site as required. Ms. Shook replied that a 24-hour, on-call property management could serve as on-site management.

Vice Chair Plaag asked if the staff had done an analysis of the livability ratio. Ms. Turner stated that the staff relied on the design professional to make sure livability ratios were met. Ms. Shook added that the design professional provided sealed plans. Vice Chair Plaag asked about the configuration of the livability space. Ms. Shook replied that there was a livability space ration of .50 for the development. Of that 50%, 50% could include landscaping and buffer areas.

Vice Chair Plaag noted there were stairs to each front door and asked about handicap accessibility. Mr. Davis replied that there were no interior ADA requirements for less than 20 units. Mr. Hanlin stated that final grading plans were not complete and ADA compliance would be addressed at that time.

Vice Chair Plaag asked where the dumpsters would be located. Ms. Shook replied that there would be individual rollouts. Mr. Aceto added that the individual containers would be stored in each unit and be serviced by Republic Services.

Vice Chair Plaag asked if the Fire Department had reviewed the plans for driveway access. Ms. Turner and Shook confirmed that they had reviewed the plan.

Mayor Futrelle called a break in the hearing from 8:56 p.m. until 9:09 p.m.

In closing, Mr. Moffatt stated that noise would be addressed by the natural topography, lighting was below the required foot candles at the property line, traffic from the development would access Faculty Street, and the buildings were attractive. Mr. Moffatt noted that they would increase the tree height and install additional landscaping. He added that any development would require tree removal.

Planning Commission Vice-Chair Plaaq asked for clarification on the tree removal limitations. Ms. Shook clarified that the limitations on the issuance of permits was limited to forestry activities which required a permit from the state and this property was not engaging in forestry activity.

Vice Chair Plaag asked if there would be any problems regarding the underground stormwater detention given the fact that the 100-year floodplain came up to the front of the property. Mr. Wise replied that the stormwater facility would need to be designed correctly.

With nothing further, Mayor Futrelle closed the public hearing for this case at 9:18 p.m.

Case A23-0185 WVS Investments LLC – General Use Zoning Map Amendment

The Town of Boone has initiated the zoning of portions of two properties owned by WVS Investments, LLC located on Fieldstream Drive to R1 Single-Family Residential (Watauga County PINs: 2911-51-7897-000 and 2911-51-8715-000).

Mr. Mike James, Senior Planner, presented the request as it was outlined in the meeting packet. He stated that the two properties were currently going through the annexation process. Mr. James noted that portions of both properties were already located inside Town limits and those portions were zoned R1. The property owner has requested that the remainder of the properties be zoned R1.

Mr. David Welsh, a member of WVS Investments, LLC, stated he bought the two lots in Fieldstream and was requesting annexation of the remainder of the lots so they could receive Town water & sewer services. He added that he planned to sell the properties so someone could build one home.

Mayor Pro Tem Tugman stated that the application indicated the requested zoning was B3. Ms. Shook explained that the staff generated the application and that was an error made by staff.

Mayor Futrelle invited public comment.

Ms. Leslie Perry stated she had lived on Fieldstream Drive for 37 years and was supportive of the properties being zoned R1.

Mr. Ronnie Marsh of 144 Rivendell Court stated that Fieldstream had a POA. He noted that Fieldstream Drive was a private road and asked how water & sewer would be extended to the lots. Mr. Marsh stated that there was a stream on the property and trees that were a buffer to the neighboring R3 property. Mr. Marsh also stated that the POA would like for any new house built in Fieldstream to be at least 2,100 square feet to be in keeping with the rest of the neighborhood.

Ms. Shook reminded everyone that this was a General Use Zoning Map Amendment of two separate parcels and no conditions could be placed on the approval.

Mr. Welsh stated that he had Mr. Mike Wilson look at the property and Mr. Wilson indicated a culvert would need to be installed for the stream. Mr. Welsh noted that the property was 400' from existing water & sewer lines so no easements would be needed. He stated that whoever built on the properties would have to meet POA requirements.

Commission Member Tait asked who had to pay for the extension of the water & sewer lines. Mr. James replied that the property owner would have to pay for the extension.

Vice Chair Plaag asked if the zoning of this property to R1 would create any non-conformities. Mr. James stated it would not create any non-conformities that he was aware of.

With nothing further, Mayor Futrelle closed the public hearing for this case at 9:33 p.m.

Adjournment of Town Council

Council Member Roseman made a motion to adjourn the Town Council at 9:33 p.m. The motion was seconded by Mayor Pro Tem Tugman.

Vote: Aye – All

Nay – None

The motion passed.

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Tim Futrelle, Mayor **Brenda Henson, Board Secretary**

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Eric Plaag, Planning Commission Vice Chair

Continuation of Planning Commission Meeting

Vice Chair Plaag called a break in the Planning Commission meeting from 9:33 p.m. until 9:35 p.m.

Public Comment

There was no public comment.

Approval of Planning Commission Meeting Minutes

Commission Member Behrend made a motion to approve the July 24, 2023, Planning Commission meeting minutes as written. Commission Member Warren seconded the motion.

Vote: Aye – 5
Nay – None

The motion passed.

Due to the time, there was discussion on how to proceed. It was decided that the Commission would consider the first and third cases at this meeting and would table the second case. A special Planning Commission meeting was scheduled for Monday, October 9, 2023, at 6:00 p.m. via WebEx to consider Case A23-0149 Faculty Street Townhomes.

Case A23-0185 WVS Investments LLC – General Use Zoning Map Amendment

The Town of Boone has initiated the zoning of portions of two properties owned by WVS Investments, LLC located on Fieldstream Drive to R1 Single-Family Residential (Watauga County PINs: 2911-51-7897-000 and 2911-51-8715-000).

Commission Members Tait and Veno felt the request was straightforward and they were supportive of zoning the properties R1.

First Motion and Vote: Vice Chair Plaag 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 the amendment is consistent with:

Comprehensive Plan Policy 2.2.2 Utilities

B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services.

Comprehensive Plan Policy 2.3.2 Community

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.

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 unity density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

The motion was seconded by Commission Member Warren.

Vote: Aye – 5
Nay – None

The motion passed.

Second Motion and Vote: Vice Chair Plaag made a motion that the Planning Commission recommends approval of Ordinance A23-0183 and believes approval is reasonable and in the public interest because rezoning to R1 conforms with the zoning of other parcels adjacent that are within the Town of Boone already and that type of zoning would maintain the existing residential neighborhood. The motion was seconded by Commission Member Behrend.

Vote: Aye – 5
Nay – None

The motion passed.

Case A23-0149 Faculty Street Townhomes – Conditional District Zoning Map Amendment

A&R Mountain Properties, LLC has requested a Conditional District Zoning Map Amendment for property located on Faculty Street (Watauga County PIN: 2910-14-4592-000) to construct 12 townhomes with a site-specific development plan for Use 15.03 (Townhouse).

This case was tabled. A special Planning Commission meeting was scheduled for Monday, October 9, 2023, at 6:00 p.m. via WebEx to consider Case A23-0149 Faculty Street Townhomes.

Case A23-0003 Andrea Brown – General Use Zoning Map Amendment

Andrea K Finney has submitted a General Use Zoning Map Amendment application to rezone a parcel located off of Bub Teems Road (Watauga County PIN: 2920-09-6177-000) from R3 Multiple-Family Residential and RA Residential/Agricultural to B3 General Business.

Commission Member Behrend stated that changing the zoning of this property to B3 would make it consistent with the surrounding zoning.

Commission Member Tait stated that zoning this property B3 would enable the property to be developed by merging this parcel with a larger parcel.

Commission Member Tait stated that rezoning the property to B3 would make the property less non-conforming.

First Motion and Vote: Commission Member Tait 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 the amendment is consistent with:

Comprehensive Plan Policy 2.1.2 Commercial Development

C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.

F. Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property, only when such consolidation and expansion does not encroach upon a viable residential area.

J. Highway Oriented Commercial uses shall be clustered along segments of major streets and contain land uses which are mutually compatible and reinforcing in use and design. Businesses shall be encouraged to coordinate their site designs with other nearby businesses. Design factors shall include, at a minimum, shared parking and street access, convenient pedestrian and vehicular movement, and consistent sign standards.

Vice Chair Plaag wished to amend the motion to add:

Comprehensive Plan Policy 2.2.2 Utilities

C. The Town shall employ incentives to encourage a concentration of intense urban type development with the Urban Growth Area.

Commission Member Tait accepted the amendment.

Commission Member Veno wished to amend the motion to add:

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.

Commission Member Tait accepted the amendment.

The motion was seconded by Commission Member Behrend.

Vote: Aye – 5
Nay – None

The motion passed.

Second Motion and Vote: Commission Member Behrend made a motion that the Planning Commission recommends approval of Ordinance A23-0003 and believes approval is reasonable and in the public interest because the rezoning makes the parcel consistent with surrounding parcels. The motion was seconded by Commission Member Tait.

Vote: Aye – 5
Nay – None

The motion passed.

Comprehensive Plan Update

Ms. Shook stated that the Town had hired a consultant, Quantum, to help with the Comprehensive Plan Update. A soft kick-off with the consultant has been scheduled for October 23rd and October 24th at the Planning and Inspections Office. Ms. Shook noted that there would be two session times (3 p.m. and 4 p.m.) on October 23 that would be dedicated to the Planning Commission. She stated that the goal was to have half of the Planning Commission members attend the 3 p.m. session and the other half attend the 4 p.m. session. Ms. Shook stated she would email Commission members regarding their availability.

Discussion of Chair and Vice Chair Appointments

Vice Chair Plaag noted that the Chair of the Planning Commission, Elizabeth Shay, had resigned. He also noted that he would be moving to the Town Council in December so the Commission was in need of a Chair and a Vice Chair.

Ms. Shook noted that the board application was contained in the meeting packet. She stated that if anyone was interested in applying for either position they would need to send their application to staff to be included in the next Planning Commission meeting packet for their recommendations.

Other Matters

There were no other matters.

Adjournment of Planning Commission

Commission Member Tait made a motion to adjourn the meeting at 10:24 p.m. Commission Member Behrend seconded the motion.

Vote: Aye – 5
Nay – None

The motion passed.

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Eric Plaag, Planning Commission Vice Chair **Brenda Henson, Board Secretary**