TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING AND PLANNING COMMISSION MEETING MINUTES
MONDAY, NOVEMBER 24, 2025, 6:00 PM
604 WEST KING STREET

COUNCIL MEMBERS PRESENT: Mayor Tim Futrelle, Mayor Pro Tem Dalton George, Todd Carter, Eric Plaag, and Virginia Roseman

PLANNING COMMISSION MEMBERS PRESENT: Frank Veno-Chair, Anne Pruitt-Vice-Chair, Garrett Kight, Declan King, Michael Mileski, Frida PazMiranda, and Adrian Tait

PLANNING STAFF PRESENT: Jane Shook-Director of Planning & Inspections, Brandon Wise-Deputy Director of Planning & Inspections, Amy Snider-Commercial Zoning Administrator, and Brenda Henson-Board Clerk

OTHER TOWN STAFF OR REPRESENTATIVES PRESENT: Todd Moody-Public Works Director, Justin Stines-Public Works Deputy Director, and Allison Meade-Town Attorney

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Call to Order

Mayor Futrelle called the Town Council to order at 6:05 p.m. Chair Veno called the Planning Commission to order at the same time. The meeting was held at the Town Council Chambers, located at 1500 Blowing Rock Road, Boone.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Council Member Roseman moved to approve the October 27, 2025, Public Hearing minutes as written. Mayor Pro Tem George seconded the motion.

Vote: Aye – 4
Nay – 0

The motion passed.

Commission Member Tait moved to approve the October 27, 2025, Public Hearing and Planning Commission meeting minutes as written. Vice-Chair Pruitt seconded the motion.

Vote: Aye – 7
Nay – 0

The motion passed.

PUBLIC HEARING

Case A25-0790 RK Investors, LLC – Conditional District Zoning Map Amendment

Appalachian Greenway, LLC, has submitted a Conditional District Zoning Map Amendment application requesting to rezone 736 Greenway Road from M1 Manufacturing and R1 Single-Family Residential to Conditional District R3 Multiple-Family Residential District which a site-specific development plan for Use 1.13 Muli-Family Dwelling (> 100 bedrooms) with the following accessory uses: A-8 & A-9 ATMs, A-15 Residential Garden, A-16 Satellite receiving antenna less than 1 meter in diameter, A-20 swimming pool, spa and hot tubs, A-22 vehicular gate, A-28 Accessory Solar Energy System, and A-29 Electric-Vehicle

Charging Station. This application also includes a request to deviate from certain ordinance standards. In conjunction with this application, the property owner, International Resistive Company Inc., has requested annexation of the portion of the property currently outside corporate limits.

Jane Shook, Director of Planning & Inspections, noted that Council Chambers was experiencing technical issues so there would be no microphones available. She asked that everyone speak loudly. Ms. Shook then outlined the new Conditional District process, as this was the first time the special process had been utilized. She explained that a Conditional District was a rezoning process tied to a site-specific development plan. The difference from the old to the new process was that applicants could now request deviations from UDO standards, requiring the applicant to submit additional information. Ms. Shook stated that this process allowed conversation between Town Council, Planning Commission, and the applicant regarding the requested deviations and potential mitigation.

Ms. Shook introduced Todd Moody, Public Works Director, Justin Stine, Public Works Deputy Director, Dale Presnell, Interim Town Manager, and Luke Fowler with Northwest Regional Housing Authority.

Allison Meade, Town Attorney, reiterated that the only new part of the Conditional District process was the deviations. Ms. Shook stated that was correct. She added that allowing applicants to request deviations from UDO standards under the CD process allowed Town Council to provide input rather than the applicant requesting variances from the Board of Adjustment.

Amy Snider, Commercial Zoning Administrator, introduced the request as presented in the meeting packet. The proposed development would contain 310 dwelling units and a three-story parking deck. The potential accessory uses were ATM's, gardens, satellite antennae, swimming pool, vehicular gate, solar energy system, and EV charging stations. Ms. Snider noted the following deviations requested by the applicant:

1. 14.03.07(D)(1): Reduce the 100-foot setback for height restriction to 60 feet.
2. 14.10.03(F): Increase the maximum building height from three (3) stories to five (5) stories plus roof pitch.
3. 15.03.03(A): Eliminate the "townhouse-style design" and increase the 50% unit-type restriction to 60%.
4. 15.03.03(B)(1): Eliminate the garage/carport requirement.
5. 15.03.03(C): The multi-family units will share livability space. Eliminate the requirement that livability space and direct access for ground-floor units. All apartments would access through interior corridor doorways.
6. 15.03.03(E)(4): Reduce the outdoor recreation area setback from twenty (20) feet to ten (10) feet from nearby residential windows within the development.
7. 15.03.04(A): Increase the maximum building height to five (5) stories of occupied space, with height not to exceed seventy-five (75) feet.
8. 15.03.05(A): Allow each unit an en suite bathroom with one of those bathrooms having access to the common area.
9. 15.03.05(B): Eliminate requirement for larger master suite and additional closet space.
10. 15.03.05(C): Eliminate storage space requirement.

Ms. Snider stated that the staff was unable to assess whether or not the site met parking requirements because the applicant did not supply the bedroom count. She explained that the minimum parking requirement of 0.7 spaces per bedroom could not be calculated based on 310 units. Ms. Snider noted that a 10% reduction in parking would be allowed due to the creation of the AppalCART stop. She stated that there would be increased density if the height deviation was allowed.

Ms. Meade stated that the requested deviations would be from an R3 zoning. She noted that the current zoning of the property was M1 and R1, with a portion unzoned. Any development on the parcel under its current zoning would be limited to industrial and single-family homes. Ms. Meade added that any development that Council allowed on this property would be far above the density that would be allowed as of right under the current zoning. Ms. Meade also noted that a Conditional District included a site-specific development plan, which included details of the construction types, materials, unit sizes and configurations, etc. She stated that no site-specific plan was submitted with this CD request.

Matt Langston, Landscape Architect with Landworks Design Group, introduced Russell Ranson and Tom Brasse from RK Investors, Elise Smith with Landworks, and Thomas Shirley from Kimley-Horn. Mr. Langston noted that their design team had met with Town Council in September to introduce their project. He stated that RK Investments was the primary developer, Landworks Design Group was handling land planning, civil engineering, and landscape architecture, Hart & Hickman was working on the Brownfield proposal, Kimley-Horn prepared the transportation impact analysis and was evaluating streams and wetlands, and Brent Davis and Niles Bolton were the architects.

Mr. Langston stated that the site contained approximately sixteen (16) acres. The southwest corner of the property was located in the county, and the applicant was seeking annexation of that portion as part of this request. The IRC/TRW building was demolished in 2013, and the site is currently going through the Brownfield process to get permitted through the state. Mr. Langston stated that a neighborhood meeting was held on September 24, 2025, and they had been responding to staff comments and refining the architecture. He noted that they had met with AppalCART regarding the bus shelter. The transportation impact analysis proposed a traffic signal at Ivy Drive; however, after conversations with the Town's Public Works Department and AppalCART, they proposed moving the signal to the project's western entrance to align with the Templeton property's driveway. Mr. Langston felt that this location would provide better access for AppalCART and a safer crossing for pedestrians. The bus shelter at the end of building five (5) would be climate-controlled. Mr. Langston stated that they were still working on the interior layouts of the buildings, but believed the maximum bedroom count would be 920, with 595 parking spaces, including the 10% reduction.

Mr. Langston stated that this was not the site for townhouse-style units because townhouses were more of a suburban-style of architecture. He said the site was mostly flat, allowing them to preserve approximately 100 feet of slope in the back. Mr. Langston noted that there would be a central courtyard recreation space, so having a twenty (20) foot setback did not make sense. They proposed adding units by going vertical on the flat land, moving the taller buildings away from the adjacent neighbors.

Mr. Langston mentioned the need for different types of housing for different types of situations. He stated that they planned to set aside a portion of the units to be rented by the whole unit, rather than by the bedroom. The deviation from the master suite requirement was for the units that were going to be more student apartment-type. He added that storage would be available, but the location had not been finalized. Mr. Langston noted that Mr. Ranson had met with Luke Fowler from the Northwest Regional Housing Authority regarding affordable housing options.

Mr. Langston addressed the proposed site plan, noting there would be twelve (12) buildings and a parking deck. Buildings 1-6 would be student apartment-type buildings. Buildings one (1), three (3), and four (4) would be five (5) story buildings pushed back from the perimeter and backdropped by the slope. Building two (2), adjacent to Watauga Opportunities, and buildings five (5) and six (6) would be four (4) stories. Buildings seven (7) through twelve (12) next to Rogers Drive would be three (3) stories and rented by the unit. Two (2) of those buildings would include 15% discounted rates. Mr. Langston offered an alternative of a $1,000 rental credit for up to twenty (20) units for assisted tenants. Another alternative was payment in-lieu of $100,000 to be used for property tax copayment or donation to the local affordable housing program.

Mr. Langston stated that there would be on-site property management. Landscaping, parking, and lighting would comply with UDO requirements. Fire Department requirements would be met. Public Works requested a water main loop through the property to connect to Rogers Drive to help with fire and domestic water flow, which would be installed. Mr. Langston noted that the parking deck would allow more green space on the site. Pickleball courts were proposed. A trout stream and wetland area on the site would be protected. A conceptual architecture was presented that was influenced by The Hotel Roanoke in Roanoke, VA.

Mr. Langston stated that Kimley-Horn worked with NCDOT on the transportation impact analysis, noting that DOT maintained Deck Hill Road and a portion of Greenway Road. He noted that nine (9) intersections were evaluated. The traffic signal was recommended, as well as a new left-turn lane into the site and a right-in, right-out onto Ivy Drive. They also proposed a left-turn lane into the Greenway Business Suites and a left-turn lane onto Ivy Drive. Mr. Langston explained that the entrance from the site onto Rogers Drive would be gated and was for emergency vehicles only. Pedestrian crosswalks would be installed at the signalized intersection on Greenway Road, and a bus shelter would be installed across the road for westbound bus patrons. Mr. Langston stated there would be an accessible route from Watauga Opportunities to the bus shelter at building five (5). The bus shelter would be open to the public and would include restrooms, vending, and waiting areas.

Mr. Langston stated that the site had been lying fallow for quite some time. While tax revenues would be staggered if the site qualified as a Brownfield, they targeted a 2028 opening that would initiate tax revenue for the town.

In conclusion, Mr. Langston asked the Council to approve the project because the site was mostly flat, on the transit route, preserved the streams, wetlands, and slope, was in the Brownfield process, would provide affordable housing, increase the tax base, create pedestrian improvements, and the site would be substantially improved.

Mayor Futrelle expressed concern that the property was a Brownfield site. He stated that three (3) years ago, the town was told by the state that the site should not be disturbed. Mr. Ranson replied that the site had been heavily studied for a decade, and monitoring wells were installed by the property owner. When RK Investors became interested in the property, they engaged Hart & Hickman to study the property. They determined that the site was not toxic. Mr. Ranson explained that, basically, a big radon containment system would be installed where they would put in a vapor mitigation layer to capture gases, such as methane, that would dissipate into the atmosphere. He added that nothing there was believed to be a health hazard. Mr. Ranson stated that they would not invest $100 million in a project if they thought people would get sick and they would get sued. The purpose of the Brownfield process was to put land back in production.

Mr. Ranson invited Tom Brasse, a professional geologist, to address the topic. Mr. Brasse stated that they had received official documentation from DENR that they were able to move forward with residential use on the property. He noted that the slabs would have to be removed, and they would have to deal with whatever they found underneath. Ongoing monitoring was necessary to mitigate anything that might migrate toward Winkler's Creek. Mr. Brasse stated that sampling was done beyond what was initially suggested to make sure there were no contaminants under the houses across the road or headed in that direction. He noted that there would be a vapor mitigation system for each building on the property that would be monitored regularly.

Mr. Ranson stated that taking a property from near zero property tax to approximately half a million would be a huge win for the town. He added that their goal was to own this property as a legacy real estate to be part of his family's inheritance.

Council Member Plaag stated that a year and a half ago, when the town was considering the property as a laydown yard for Public Works, they were told by the state that an employee who entered a truck that had been sitting on the property for a week would see skyrocketing chances of cancer. Council Member Plaag stated that he would like to see the applicant's documentation from the state. He asked if the site would be monitored for air quality as well as soil quality. Mr. Brasse replied that air quality would be monitored, noting that the constituent levels were actually quite small. Mr. Ranson stated that they had dealt with a good many Brownfield sites and were currently building a hotel in Raleigh on a landfill with a vapor mitigation system not dissimilar from what they were proposing for this site. He added that they would be happy to share whatever data the Council wanted to see. Mr. Brasse stated that the contaminants on the site were largely chlorinated solvents that were used to wash the circuit boards, and there were still some metals. However, a lot of that was removed. Mr. Brasse noted that there had been a lot of sampling in the past, and they had done even more sampling by drilling through the slab and all over the site to make sure there was not another source area or big area of contaminant concern. He added that a lot of what was left was lower-level contaminants that were starting to break down. Mr. Brasse stated that the risk would continue to decrease. He added that what would be coming out of the vents would be methane at a very low level. Council Member Plaag replied that he was now even more alarmed because methane was the worst contaminant for climate change. He explained that in the 1970s, there was so much methane and other greenhouse gases being pumped into the air in Boone that it took decades for the town to bounce back to where people could breathe clean air. Council Member Plaag stated he was hesitant to go backwards on those achievements. Mr. Brasse responded that this would not add methane to the air. He said, to be clear, the methane was already there and coming out. The point of the containment system was to control the release of gases so they would not enter the buildings.

Ms. Meade asked what the Brownfield agreement with the state held the applicant to in terms of testing and future liability. Ms. Brasse replied that an initial application was submitted with the site plan and the intent that the development be residential. The state looked at all the data they had to date and asked for additional samples to be taken, which they did. Based on the samples and the proposed vapor mitigation system, the state would agree to the project and enter into a Brownfield agreement. Mr. Brasse stated that an application had been filed, fees paid, and they were going through the process. Once a more refined plan was approved by the Council, they would submit specific remediation plans for the buildings. Mr. Brasse explained that the biggest buildings would have a more intensive collection system underneath because that was where the higher methane levels were coming out of the ground. The rest of the property would have a different type of system. There would be an O & M plan for construction, and a long-term O & M plan where they had to commit to taking samples and checking the air in every one of the buildings every year. The plan would be a signed document that was recorded, and whoever owned that property was bound to the agreement. He added that any type of soil disturbance that might disrupt the vapor mitigation system would not be allowed. Mr. Brasse stated there would be periodic inspections by the state to make sure they were adhering to the agreement. Monitoring and testing would have to be done in perpetuity or until there were no contaminants found in the sampling. Mr. Brasse noted that they had received a letter of eligibility from the state, but more specificity was required to be approved.

Commission Member Paz-Miranda asked if the testing data would be available to the public. Mr. Brasse replied that it was all public and was largely contained online.

Chair Veno noted that radon was mentioned and asked where the radon was located. Mr. Ranson replied that they would be using a containment system similar to a radon containment system, but there was no radon that they were aware of.

Mayor Pro Tem George noted there was a sizeable amount of public support for the project, if it was done well. He asked what the expiration date on any type of rebate or discount for the units would be. Mr. Ranson responded that there would be a 5-year limit on any discounts. He added that the actual construction cost per unit would be $400,000, which would make it difficult to create affordable housing. Mayor Pro Tem George asked where the stream was located on the property. Mr. Langston replied that it was more of a wet-weather branch. He noted there was a wetland pocket with three (3) braided channels that went into a headwall and were piped through the site.

Council Member Roseman asked if the applicant would consider a 10-year limit instead of five (5) years. Mr. Ranson stated they would consider it, but would need more time to research the ramifications.

Council Member Carter felt that this was the perfect location to increase density. He indicated that he had no issues with the building height or eliminating the townhouse-style units and garages. The project encouraged mass transit and walkability. Council Member Carter stated that storage was a challenge, noting he would like to see storage on-site so that tenants would not have to pay for storage facilities. He commended the applicant on buildings 7-12, noting they were well placed and well thought out.

Council Member Plaag expressed concern that buildings 7-12, which were rent by the unit buildings, only comprised about 20% of the entirety of the development. This meant that less than 10% of the units would be designated as affordable. Council Member Plaag noted that the applicant committed to having 20 affordable units in a 310-unit complex, so that 80% of the complex would be for student housing. He stated there was a desperate need for housing that was not rent by the bedroom. Recent numbers showed an increase in vacancy rates in student housing, not traditional housing. Council Member Plaag stated he would like to see a greater percentage of rent by the unit options. He also questioned the $400,000 cost to build each unit, noting that would be $400 per square foot for a 1,000 square foot unit. Commission Member Tait replied that that was about the average per square foot cost to build. Mr. Ranson explained that remediation and construction on a Brownfield site added to the cost of the project. He suggested that their creation of new housing stock could pull renters from single-family homes, leaving them open for families.

Luke Fowler, Director of the Northwest Regional Housing Authority (NRHA), stated that it was a public housing agency serving seven counties. Mr. Fowler noted that he was at the meeting as a proponent of affordable housing. He explained that project-based vouchers could be used to help further the affordable housing units. He added that he had an initial conversation with this group regarding affordable housing. Utilizing the project-based voucher program would involve a contract between the owner, the NRHA, and HUD for a certain number of units for a minimum of twenty (20) years, thus guaranteeing the affordability of those units for households at 50% or less of AMI.

Ms. Meade expressed concern about the town's limited authority. She noted that there were court cases in which developers agreed to something and later backed out, challenged it as illegal, and the courts allowed it, which set a terrible legal precedent. Ms. Meade stated that the Town and the Council could choose to take the risk of agreeing with something that was not clearly authorized. She added that the only thing the town had clear authority to do was to take actions that would promote affordable housing. Affordable housing was defined in the statutes as 80% or less of AMI. She suggested the safest option would be the voucher program with an already existing expert institution that had been doing this for decades. The vouchers would be tied to the project, but not to particular apartments. Ms. Meade felt that sprinkling the affordable units throughout the complex reduced any stigma. The downside to the voucher program was that it was so income-limited at 50% of AMI. Ms. Meade added that she was very uncomfortable with the payment-in-lieu option. Mr. Fowler noted that AMI was based on household size. He thought that a household of three (3) in Watauga County could make approximately $86,000 to qualify for voucher assistance.

Mr. Ranson noted that Mr. Fowler's newest project was twenty (20) years old, so his inventory of units was quite dissimilar from what they were proposing, which would be the Neiman Marcus or the Four Seasons type of development. He stated that they wanted better architecture, design, and amenities. Mr. Ranson expressed concern that this type of design and affordable housing could have difficulty coexisting and thriving. He felt it might be easy to identify the affordable housing person if they were older than the students. Mr. Ranson suggested that if the project were valued at $100 million and they paid $500,000 in taxes each year, the town could issue bonds and build affordable housing with those funds. While they were committed to helping with affordable housing, Mr. Ranson stated that they could not solve the problem.

Council Member Plaag asked why Boone needed a 310 unit Neiman Marcus level development as opposed to a Belk level development. Mr. Ranson replied that the newest neighborhoods were better than the last because the costs were higher. He added that pilings and vapor mitigation were expensive, and to achieve a recoverable return on investment, they had to have a nicer development.

Mayor Pro Tem George stated that a supply was needed, and something should happen at the site. He felt that some of the proposed design elements aligned with Boone Next's goals.

Council Member Carter stated that affordable housing was his passion, and he was fond of saying, "You have to celebrate the base hits," because no one was going to wave a wand and make the housing crisis go away. He added that he would love for this development to be all affordable housing, but that was not going to happen because the math did not math.

Chair Veno stated he was an advocate for affordable housing and believed buildings 7-12 could be affordable. He noted that every recent development catered to student housing. Chair Veno recommended that buildings five (5) and six (6) be community housing or non-student housing to even the playing field.

Commission Member Paz-Miranda stated that her neighborhood was washed away by Hurricane Helene, and fifty (50) community members were left without housing. She agreed with Chair Veno's suggestion of making buildings five (5) and six (6) into non-student housing. She felt this was an incredible project and appreciated the urban planning and transit. Commission Member Paz-Miranda urged the applicant to consider the Boone Next plan in their development.

Commission Member Tait noted that he did not see anything mentioned in the presentation about the Greenway and the potential to add a bike lane along Greenway Road. He also mentioned the village within a village concept, where there might be a small market or coffee shop on the site. Commission Member Tait suggested mixing in some two (2) or three (3) bedroom units in the larger buildings. Mr. Brasse noted that there would be approximately eighty (80) market-rate apartments in buildings 7-12. Mr. Ranson added that coffee would be available at the clubhouse and at the transit stop, along with other vending options.

Mr. Langston stated that a bike lane along Greenway Road made a lot of sense. However, there were issues with property lines extending into the right-of-way, and right-of-way acquisition was not guaranteed.

Commission Member Mileski appreciated the presentation. He asked whether there was a threshold during excavation that would require them to discontinue due to contaminants. Mr. Brasse replied that they were mostly past that point, but noted that O & M would be provided during the construction period and that someone would be there to ensure things ran smoothly.

Commission Member King asked why more student housing was being proposed when, according to studies, there were currently vacancies in that market. Mr. Ranson replied that whenever a market study was conducted, it was essentially guesswork to predict trends. He stated that they heard loud and clear the need for market-rate housing, so they were providing 70 or 80 units earmarked for that. Mr. Ranson noted that one Council member said the problem with student housing was that when you rent by the bedroom, the unit costs more, so a family wanting to rent the same type of unit could not afford it. He stated that was the reason they bifurcated 70 units, to give everyone an equal chance to get one. Mr. Ranson added that the project could be all affordable, all market-rate, or all student housing, and would likely be a successful project for someone. However, the economics of student housing were clearly more advantageous because it paid more. Mr. Ranson stated that rentals by the bedroom were the reason for the affordability problem. He added that they were confident they could rent the market-rate housing set aside as well as the student housing.

Council Member Plaag thanked Mr. Ranson for acknowledging that renting by the bedroom drove prices up for traditional housing. He noted that there was a request to deviate by 60% for any unit type, rather than the usual 50%. Mr. Langston replied that it would be for the four (4) bedroom student housing units. Council Member Plaag asked what the unit type would be. He also asked whether the applicant would commit to designating a percentage of the parking spaces as visitor parking. Mr. Brasse agreed to provide visitor parking spaces. Council Member Plaag asked if bicycle and motorcycle parking had been addressed. Mr. Langston responded that they would comply. He suggested there would be bike storage in the buildings, as well as freestanding racks outside with the motorcycle parking. Mr. Langston noted that they had to stay away from the trout stream and create buffers, so the parking deck had gotten squeezed a bit. He stated that there would likely be a speed ramp to the parking deck instead of the curvy driveway up the side. He anticipated that the motorcycle parking would be under the ramp.

Council Member Plaag asked whether there would be any outdoor space, such as a balcony, for the family-style units in buildings 7-12. Mr. Ranson replied that they planned to fence two units to accommodate pets and comply with ADA requirements, but they could consider this request as they got to the final design. He added that they were getting mixed signals, sometimes hearing that Council wanted balconies and other times that it did not. Mr. Ranson stated that some of the ground-floor units in buildings 7-12 would have a walkout courtyard. Council Member Plaag recognized that installing balconies on student housing was not a good idea, but felt they would be appreciated in family housing. Mr. Ranson agreed to consider the idea.

Council Member Roseman asked how the project's costs would be affected if buildings 7-12 were built in the townhouse style. Mr. Ranson replied that it would be significant because the density would decrease by half. He explained that there were fixed costs for the land, the bus shelter, the parking deck, etc., and that decreasing density increased the per-unit cost. Council Member Roseman stated that she loved the townhouse feel and the fact that the tenant had a door, an interest, and a sense of personal space.

Mayor Futrelle called a break in the public hearing from 7:58 pm until 8:15 pm. He then opened the floor for public comment.

John Callahan stated he had lived in Boone for 55 years, was a retired geology professor at Appalachian State, helped start the State Board of Geology, and had worked in the environmental field and other geology areas. He commented that he was pleased this property might be cleaned up, because a plume of pollutants was moving toward Winklers Creek and needed to be addressed. Mr. Callahan also expressed his desire to have bike lanes installed along Greenway Road because riding on Blowing Rock Road was unsafe.

Maria Owens stated that this looked like a good plan for the area. She added that it would be advantageous to have a stoplight on Greenway Road to slow traffic. Ms. Owens asked that the roads be done properly. She added that after the area flooded, she would not be happy if the new development caused any water to reach her property on Meadowview Drive. Ms. Owens asked the developer to consider the Boone Next plan when designing the project.

Zan Valliant asked how much water would need to be allotted for this project. She noted that she had lived through the flood, had seen all the water that came down from the mountain above the property, and wondered how water runoff would be handled.

Luke Fowler had already left the meeting and did not speak during public comment.

Michael Maybee, President and CEO of Watauga Opportunities, stated that Greenway Road was not capable of being expanded to four lanes. He noted that RK Investors had not yet purchased the property and were still negotiating with the current property owner over who would pay for which portion of the mitigation. Mr. Maybee appreciated the effort to do something with the land. He stated his biggest concern was the traffic density, with 900 bedrooms adding approximately 630 cars. Mr. Maybee noted the addition of a traffic light and turn lanes. He stated that a left-turn lane into the new apartment complex and a left-turn lane into Templeton's property would preclude any left turns into Watauga Opportunities because of the location of the traffic light. Mr. Maybee appreciated the heated bus shelter, but had concerns that the homeless population and vagrants would be drawn to it.

James Milner stated that he had no professional relationship with the applicant and was speaking as a commercial real estate professional. He noted that other developers in town had looked into master lease agreements, and he felt it was a good avenue to take. Mr. Milner applauded Council members for talking about the basic economics of supply and demand, noting that the town had not seen new multi-family development in five (5) years. Mr. Milner explained that construction costs were at an all-time high, with land, infrastructure, and system development fees all affecting rent costs. He stated that more competition would make rent more affordable. Mr. Milner was encouraged to see a civilized conversation between a government entity and a developer working towards a common goal. He added that a fully affordable housing project was an unrealistic goal. Lastly, Mr. Milner stated that a design like Hampton Estates would not work in the middle of a higher-density project such as the one proposed.

Mayor Pro Tem George stated that some fee-in-lieu could be provided for infrastructure projects or green space projects that benefit the development. He noted that a plan called the Cross Boone Connector was in place, connecting directly to this property and providing multimodal transportation throughout town.

Commission Member Tait asked whether Kimley-Horn could speak about the transportation study, the specific recommendations for the intersections leading to this development, and what the applicant had already agreed to.

Thomas Shirley with Kimley-Horn stated that the traffic signal location had changed since the original study. He noted the following recommendations for this project: a traffic signal at the Western access to the site, with left-turn lanes into that access point; pedestrian crossings; a right-turn striping improvement; and pedestrian and bicycle improvements.

Commission Member Tait commented that the transportation study was easier to read and understand. He asked whether there were any thoughts on Mr. Maybee's concern about access to Watauga Opportunities. Mr. Shirley replied that the Eastern access for Watauga Opportunities would be challenging regardless of any improvement. Because Watauga Opportunities currently has three (3) access points, Mr. Shirley felt that people would naturally go farther down and use one of the other driveways to enter the site. Mr. Maybee replied that they would lose access to the main entrance of their property. Mr. Shirley stated that access would not be lost, but the functionality would change. Council Member Roseman suggested that the applicant consider shared access with Watauga Opportunities.

Council Member Carter asked Todd Moody, Director of Public Works, to address Ms. Valliant's question about water allocation for the project. Mr. Moody explained that before the town had the new water intake, water had to be allocated, but that was no longer a concern.

Mayor Pro Tem George stated that the site had less permeable surface than it did previously, so he thought that would help with flooding.

Council Member Plaag made a motion to continue the hearing to early February to allow the applicant to provide additional information and make any necessary revisions to the request.

Jane Shook, Director of Planning & Inspections, asked for more specific direction from the Council. She noted that the next public hearing was scheduled for January 26, 2026, or a special public hearing could be scheduled. Council Member Plaag stated that he could meet in early January or early February. After consulting the calendar and everyone's schedules, it was decided to schedule a special public hearing on January 5, 2026. Council Member Plaag suggested further discussion at the December 8 Town Council meeting to refine the items Council wanted to see in the project so that better direction could be given to the applicant.

Commission Member Tait noted that several deviations were requested. He asked whether they needed to provide the applicant with some direction on those deviations so they could proceed with revisions accordingly.

Mayor Pro Tem George stated he was comfortable with the requested deviations. He felt the building heights and setbacks were thoughtfully considered, and he did not object to eliminating the carports and townhouse-style design.

Council Member Plaag expressed concern about the 60% rather than 50% threshold on the four bedrooms, because that went part and parcel with what the mix of units looked like in terms of rent by the bedroom versus traditional market-rate renting. He agreed with the height element. Council Member Plaag stated he was not willing to simply say yes or no to each of the requested deviations, as they still needed to negotiate.

Council Member Carter stated he was in favor of most of the deviations. However, he did want to see adequate storage.

Council Member Roseman felt that the Brownfield element was very important. She would like the applicant to consider more traditional, affordable housing units for families.

Ms. Shook noted the following takeaways from the meeting: consider more impacts for adjoining property owners regarding access, clarify the student housing versus market-rate mix, and narrow down the housing options to find those that are legal and acceptable. Council Member Plaag added that there needed to be specificity in the configuration of bedrooms, drawings showing what the buildings would look like, the building materials, building configuration, building heights, and layout of the parking deck.

Ms. Shook asked Brandon Wise, Deputy Director of Planning & Inspections, to speak about stormwater for the site. Mr. Wise stated that the site was essentially 100% pavement or concrete. The project, as proposed, would reduce the amount of impervious surfaces on the site by installing landscape buffers, plantings in the parking lot, etc. Other detention options, such as rain gardens, had been discussed with the applicant. Mr. Wise noted that they had to eliminate any options that might conflict with the

Brownfield. He added that reducing impervious surface would decrease the amount of flow leaving the site, so the applicant would not be required to install water detention.

Council Member Roseman suggested there be less parking and more green space. Mr. Wise stated that, with the ten (10) percent reduction in parking allowed for transit, the project would require 0.7 parking spaces per bedroom. Council Member Roseman asked whether the master lease agreement was a feasible idea. Ms. Shook replied that there was concern about the town's authority under land-use law to enter into master lease agreements. She noted that the Town Attorney would need to review options for legal requirements.

Council Member Plaag commented on the need for visitor parking and said that if adding visitor parking pushed the project below the current threshold with the 10% discount, he would be okay with that.

Chair Veno noted that part of the request was the annexation of a portion of the property. He asked how that would play into the continuation of the hearing. Ms. Shook stated that staff would work with the Town Attorney to address some of the issues raised before the December 8 Town Council meeting. At that meeting, the annexation public hearing would be held, followed by a continuation of this evening's public hearing on January 5, 2026. If the case proceeded through the public hearing, the Planning Commission would make its recommendation, and the Town Council would make the final vote at a subsequent meeting in January.

With nothing further, Mayor Futrelle continued the public hearing for this case until January 5, 2026, at 6:00 pm in Town Council Chambers.

<u>Adjournment of Town Council</u>

Council Member Roseman moved to adjourn at 9:07 pm. Mayor Pro Tem George seconded the motion.

Vote: Aye – 4
Nay – 0

The motion passed.

<u>Adjournment of Planning Commission</u>

Commission Member Tait made a motion to adjourn at 9:07 pm. Commission Member Mileski seconded the motion.

Vote: Aye – 7
Nay – 0

The motion passed.

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

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Frank Veno, Planning Commission Chair