

**PLANNING COMMISSION MEETING MINUTES
MONDAY, FEBRUARY 22, 2021, 6:00 P.M.
VIA WEBEX SOFTWARE**

PLANNING COMMISSION MEMBERS PRESENT: Elizabeth Shay-Chair, Eric Plaag-Vice Chair, Chris Behrend, John Tippet, Frank Veno, and Adam Zebzda

HISTORIC PRESERVATION COMMISSION MEMBERS PRESENT: Phoebe Pollitt

COMMUNITY APPEARANCE COMMISSION MEMBERS PRESENT: Margaret Trumpower, Sarah Davis Cagle, and Brian Williams

TOWN COUNCIL MEMBERS PRESENT: Rennie Brantz-Mayor, Connie Ulmer-Mayor Pro Tem, Sam Furgiuele, Nancy LaPlaca, Virginia Roseman, and Dustin Hicks

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

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: John Ward-Town Manager, Lane Moody-DBDA Director, and Matt McGregor-Planning Intern

OTHER ATTENDEES/PARTICIPANTS VIA WEBEX: Kayla Lasure

Call to Order

Chair Shay called the Planning Commission meeting, held via WebEx, to order at 6:03 p.m.

Public Comment

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

Approval of Meeting Minutes

Commission Member Behrend made a motion to approve the February 1, 2021 Planning Commission meeting minutes. The motion was seconded by Vice Chair Plaag.

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

Downtown Planning Projects

Ms. Shook welcomed everyone and introduced those that were present. She noted that the Community Appearance Commission and the Historic Preservation Commission had been working on their respective Downtown planning projects for many years and they were at a point where they were ready to bring them to the Planning Commission for review and comment. Ms. Shook explained that the B1 Expansion and the Downtown Boone Local Historic District were two separate projects that happened to occur in the same area.

Ms. Shook stated that the B1 Expansion created separate design guidelines for Downtown than the guidelines for the rest of the town. She stated that two districts were being proposed for Downtown; the B1 Downtown Core, and the B1 Downtown Interface. This proposal would expand the area that people traditionally consider the Downtown area to encompass property from Greasy Corner to the Poplar Grove Connector. Ms. Shook explained that this project would require revisions to the UDO to create standards for both new B1 districts. She stated that, with this change, they would also be taking the opportunity to create a separate article for each zoning district that would have all the use and district intensities specific to that zoning district and create comparative tables placed at the end of the UDO. Ms. Shook noted that

the B1 Expansion would involve both UDO text and zoning map amendments, where approximately 254 parcels in the Downtown area were affected.

Mr. Johnson noted the CAC standards were adopted in 2006 and, upon review, it became apparent that the Downtown needed different standards. He stated that they were basically looking to create a new Downtown boundary. Mr. Johnson explained that the regulations in the Downtown Core and the Downtown Interface were intended to preserve and maintain a small town, High Country atmosphere, preserve the adaptive reuse of existing historic buildings, require new construction to be appropriately scaled to be sympathetic to the existing built environment, reinforce the character of Downtown as a pedestrian friendly area, and encourage architectural solutions that were visually interesting and compatible to the scale and character of the surrounding area.

Mr. Johnson stated that the B1 Downtown Core would be the center of the Downtown area and contained the greatest concentration of historic commercial buildings. He noted it was the intent for the Core district to align closely with the Historic Preservation Commission's proposed district so there was not a lot of overlap or confusion between the two districts. Mr. Johnson stated the B1 Downtown Core district would establish a continuous building facade at the street frontage to strengthen the identity of Downtown as a pedestrian destination through careful selection of building materials, human scale design, and ground floor fenestration. He noted that the intent of the Downtown Interface area was to allow some flexibility outside of the Core district and provide a transition into Downtown, while being sensitive to issues of compatibility with the Downtown area. Mr. Johnson referenced the project area map contained in the meeting packet and pointed out the Core and Interface areas. Flexibility in landscaping and wider setbacks on streets were proposed in the Downtown Interface area. Mr. Johnson stated there were a few properties that would not be included in the B1 districts and would be zoned R1A.

Ms. Shook stated there were 254 parcels that would be zoned either B1 Downtown Core or B1 Downtown Interface. She noted there were some residential properties along Straight Street that were identified by previous Council planning efforts to be rezoned as R1A. Ms. Shook stated these properties were currently zoned B1. She noted several other properties that were proposed to be zoned residential.

Ms. Shook then presented the Downtown Boone Local Historic District information. She stated this would be an overlay district whose standards would overlap one or more general use districts and contain standards in addition to the general use district zoning standards that lie below. Where requirements conflict, the overlay district standards would supersede the general use district standards. Ms. Shook explained that the creation of the Local Historic District required a comprehensive architectural survey of Downtown Boone as well as a designation report and the district area would involve approximately 120 parcels in the Downtown area.

Vice Chair Plaag, speaking as the Chair of the Historic Preservation Commission, stated the process to develop the Downtown Boone Local Historic District started in 2011 and he provided some background on the process. He explained that the comprehensive architectural survey included photographing all of the buildings in the survey area and researching the history of each building, including the ways in which the buildings had changed over time. Vice Chair Plaag stated they chose to do a really comprehensive history of each building that got into the minutiae of how the buildings had changed over time, who the tenants had been, etc. so that it would create a better research survey than what you would normally see in survey projects. Vice Chair Plaag stated that the survey report was not a legally binding document but the designation report was legally binding in relationship to the zoning overlay. He explained that the designation report required Town Attorney review and State Historic Preservation Office review, which were both currently in progress. Vice Chair Plaag stated that once the designation report was approved, Town Council could officially designate a historic district. He noted that the next step was to create a set of specific design standards for the district which outlined how property owners should handle the various

architectural components of their historic properties, as well as any historic landscapes that might be located within the district.

Vice Chair Plaag stated that the design standards being proposed would take precedence over the design standards in the B1 Core and B1 Interface if the overlay is adopted. He noted that the suggested boundaries for the district had to be cohesive in order to meet the State Historic Preservation Commission's standards.

Ms. Shook reiterated that the Local Historic District overlay was a project but would work together with the B1 Core and B1 Interface to create the final products. She referred to the story maps of each property that contained parcel specific analyses, which could be used as an introductory tool when making a presentation of the projects to the public. Ms. Shook suggested the creation of a website and recording a presentation to put on this website with some q&a or some other information on there.

Ms. Shook suggested scheduling a special Planning Commission meeting so that PC could give initial comments to Planning staff and once that took place they could invite everyone back together or invite just HPC and CAC committee chairs and vice chairs, to answer any questions. Any changes would be taken back to Council and then public input meetings could be scheduled. Ms. Shook explained that all of this would need to take place before going to public hearing.

Council Member Furguele asked about the overlap between the Historic District and the Downtown Core and why there might be usefulness despite the fact that they were very close to the same borders. Ms. Shook replied that Council authorized the HPC chair and the CAC chair to meet with staff to discuss the potential boundaries and there was consideration of expanding the Historic District overlay, especially in the area along Hippy Hill. Through that discussion it was determined that the Historic District boundaries would have to be different based upon whether or not a property had contributing factors that would qualify for historic distinction. Ms. Shook stated that some people felt there might be confusion if the Historic District overlay did not match the underlying zoning of the Core, but she noted there were other overlays within the Town of Boone, such as the Corridor District overlay, the Special Flood Hazard overlay, the Watershed overlay, and the Viewshed Protection overlay, and none of those overlays actually coincided completely with the general use zone of the parcels underneath.

Council Member Furguele stated the borders of an Historic District could be amended but it would be unlikely once the district had been established that it would ever happen. He stated that, in the future, there may be areas that would naturally become part of the Downtown Core and that could happen without having to go through the much more difficult and extended process of expanding the Historic District.

Council Member Roseman asked about the possibility of making the neighborhood behind the proposed Historic District its own Historic District. Ms. Shook replied that the neighborhood was not being considered in the current proposal but was on the list for HPC to look at.

Vice Chair Plaag added that the guidance from the North Carolina State Historic Preservation Office was to essentially hold those properties on Hippy Hill for inclusion in a possible future district that would encompass the Grand Boulevard area, Daniel Boone Park, and a couple of other historic subdivisions that get into Cherry Drive.

Ms. Shook noted there had been some concern about preservation outside of the Historic District and stated there was an opportunity to do this through an Historic Landmark Designation, which was different than a district. Vice Chair Plaag added that they may possibly consider a Landmark Designation for the Rivers' House. He explained that it was outside of the Historic District but it was on the radar for Historic Designation and historic protection. He noted that three properties had already been designated as Historic Landmarks; the Downtown Boone Post Office, the Linney House, and the Linney Law Office. Vice Chair Plaag stated that the Jones house was also being considered for Landmark designation. He noted

that with individual property designations or Landmark designations there was a property tax deferment of 50% which meant that the town would be looking at a loss of tax revenue when that happened.

Council Member LaPlaca asked if the tax deferment was permanent. Vice Chair Plaag replied that nothing was permanent. He stated he did not completely understand the logistics of how it worked but stated, in order to receive the tax deferment, the owner of that designated property committed to preserving the character defining elements of the property or the historical context for that property. However, there was a penalty mechanism where the Town could say the property owner did not preserve the character defining elements and the property owner would have to pay the deferred taxes for some period of time.

Council Member Roseman asked if a property was proposing to build or be revamped would they have to change their planning to be appropriate for the current standard. Ms. Shook replied that, if adopted, any change to the exterior of the property would have to be reviewed from a zoning perspective and the Certificate of Appropriateness perspective and those changes would have to be consistent with whatever standards were adopted. She explained that minor changes could be signed off on by staff but more significant changes would go to the Historic Preservation Commission for review. Ms. Shook stated there was a minor process and a major process and those were outlined in the draft document of Design Guidelines.

Commission Member Veno stated he would put a priority on public input but was curious how that would work during the pandemic. Ms. Shook replied that there were concerns about not being able to have the traditional processes of meetings in Council Chambers where people could come in at their own time, but she did not think it was impossible to make something work. She felt that some people might be satisfied with just reviewing online content while some might want individual appointments. Ms. Shook stated that one idea was to have staff dedicate certain days for scheduled appointments with property owners or community members who wanted to know more about how these changes might impact them. She felt there were a variety of options that would ensure they were being transparent. Ms. Shook suggested there could be comment and public information forms on the website that could be submitted online. Ms. Shook noted there was a Planning Commission meeting in March that would have a text amendment regarding Session Law 2019-111 and she was sure how long that would take to go over. She stated they could add discussion of the Downtown Projects to the agenda or schedule a special meeting just to discuss this topic.

Mr. Ward stated he wanted to make sure they had the financial resources available for advertising. Ms. Shook replied that dates had not been finalized and they were trying to get the Planning Commission meeting scheduled so they could give their initial feedback before trying to figure out how to do public input meetings. Ms. Shook stated that after all the public input was received they would make decisions and hoped to have a conclusion to the Downtown Projects by the summer. She explained that one of the options was to have a discussion of the Downtown Projects at the regular March 22 meeting, in addition to the one text amendment item that was currently on the agenda. Ms. Shook stated if they could get comments back from the Planning Commission prior to the March Council meetings, Council could then have discussions on when to set up public input meetings and the framework of those public input meetings.

Vice Chair Plaag stated this process had dragged on for a long time and he did not want to lose momentum. He stated he would be in favor of a special meeting of the Planning Commission to discuss the Downtown Projects and invite the Chair and Vice Chair from CAC and HPC to attend to answer any questions.

Chair Shay asked Vice Chair Plaag to lead the discussion while she stepped away from the meeting for a few moments.

Possible meeting dates for a special Planning Commission meeting were discussed.

Chair Shay rejoined the meeting. Vice Chair Plaag explained that three dates had been mentioned; March 8 which Commission Member Zezda could not attend, March 12 which worked for everyone, and March 15 which did not allow time for Planning Commission's input to be given to Town Council before their meeting on March 16. Chair Shay replied that all of those dates worked for her so it sounded like Friday, the 12th was the date that should be chosen for the special Planning Commission meeting. Ms. Shook asked if there was interest in meeting earlier than 6 p.m. and Commission members agreed to meet at 5 p.m.

Adjournment

Commission Member Behrend made a motion to adjourn the meeting at 7:37 p.m. The motion was seconded by Vice Chair Plaag.

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

Elizabeth Shay, Planning Commission Chair

Brenda Henson, Board Secretary