

**Town of Boone
Town Council/Planning Commission
Public Hearing
5:30 PM, Jun. 6, 2016
Council Chambers, 1500 Blowing Rock Road**

I. () **Call to Order**

II. () **Case 20160226 Landscape Contractor**

1. () Landscape Contractor - UDO Text Amendment Staff Report
2. () Supplemental Report- Revised Text

III. () **Case 20160275 Marketplace Planned Development Zoning Map Amendment**

1. () Marketplace Zoning Application
2. () Marketplace Neighborhood Meeting Information
3. () Marketplace Deviation Request
4. () Marketplace Traffic Impact Analysis
5. () Marketplace Site Plans
6. () Marketplace Building Elevations
7. () Marketplace Color Building Elevations
8. () Marketplace Floor Plans
9. () Marketplace Staff Report

IV. () **Case 20160295 Wellness District Standards**

1. () Wellness District Standards-UDO Text Amendment Staff Report

V. () **Case 20160299 State of North Carolina General Use Zoning Map Amendment**

1. () State of North Carolina General Use Zoning Map Amendment Staff Report

VI. () **Case 20160136 Rivers Walk Planned Development Zoning Map Amendment**

A. () ***Rivers Walk New/Revised Supplemental Information***

1. () Rivers Walk Supplemental Staff Memo

2. () Supplemental Exhibit 1: April 4, 2016 Special Public Hearing Meeting Minutes
3. () Supplemental Exhibit 2: April 11, 2016 Planning Commission Meeting Minutes
4. () Supplemental Exhibit 3: Communication Regarding Third Party Survey
5. () Supplemental Exhibit 4: Rivers Walk Third Party Survey Information
6. () Supplemental Exhibit 5: Rivers Walk Revised Site Plans
7. () Supplemental Exhibit 6: Applicant's Response Letter
8. () Supplemental Exhibit 7: Revised Building Layout and Building Elevation Information
9. () Supplemental Exhibit 8: Rivers Walk Building Elevation Comparison

B. () Rivers Walk Original Submittal Information

1. () Original Submittal: Rivers Walk Application Information
2. () Original Submittal: Rivers Walk Applicant's Zoning/UDO Comparison
3. () Original Submittal: Rivers Walk Parking Demand Study
4. () Original Submittal: Rivers Walk Neighborhood Meeting Information
5. () Original Submittal: Rivers Walk Site Plans
6. () Original Submittal: Rivers Walk Architectural Plans
7. () Original Submittal: Rivers Walk Staff Report
8. () Original Submittal: Rivers Walk Staff Report Exhibit A
9. () Original Submittal: Rivers Walk Staff Report Exhibit B

VII. Adjournment

Zoning/Planning Permit Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607
Phone (828) 268-6960 ♦ Fax (828) 268-6961
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
☐ Commercial
☐ Board of Adjustment Hearing (other than Appeals)
☒ Planning/Other

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: PO Drawer 192, Boone, NC 28607
Phone Number: _____ Email Address: _____
Property Owner: _____ Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): NA
Address/Location: NA
Project Name: Landscape Contractor- UDO Text Amendment

C. PERMIT SUBCATEGORIES

Additional Forms Needed

Zoning Permits

- | | |
|---|---|
| ☐ Accessory Building | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Addition/Expansion including decks and patios | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Change of Occupancy | *Commercial Project Data Form |
| ☐ Land Disturbance (not associated with the construction of a bldg.) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Manufactured Home Set-up in Park | *Manufactured Home in Park Form |
| ☐ New Building Construction | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Renovation/Remodel | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Accessory Use (as listed in UDO Subsection 15.07.01) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Temporary Use (as listed in UDO Subsection 15.07.02) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Sign | *Sign Project Data Form (Zoning) |
| ☐ Pavement Sealant | *Pavement Sealant Project Data Form |
| ☐ Major Subdivision Zoning Permit | *Commercial Project Data Form |

Board of Adjustment Hearings

- | | |
|--|---|
| ☐ Special Use Permit/Modification | *Special Use Permit Form |
| ☐ Variance | *Variance Form |
| ☐ Major Subdivision Preliminary Plat Approval | *Major Subdivision Preliminary Plat Approval Form |

Planning/Other

- | | |
|---|--|
| ☐ Exempt Division of Land | *Subdivision Exemption Project Data Form |
| ☐ Minor Subdivision (Preliminary and Final Plat) | *Minor Subdivision Project Data Form |
| ☐ Major Subdivision (Final Plat) | *Major Subdivision Final Plat Project Data Form |
| ☒ UDO Text Amendment | *Text Amendment Project Data Form |
| ☐ General Use Zoning Map Amendment | *General Use Map Zoning Map Amendment Project Data Form |
| ☐ Conditional District Zoning Map Amendment | *Conditional District Zoning Map Amendment Project Data Form |
| ☐ Voluntary Annexation | *Annexation Petition (Satellite or Contiguous) |
| ☐ UDO Text Interpretation | *UDO Interpretation Data Form |

D. DETAILED DESCRIPTION OF PROJECT

See Project Data Form

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: NA Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

F. DESIGN PROFESSIONAL INFORMATION**Engineer: NA**

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

Architect: NA

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

G. APPLICANT SIGNATURE: By signing this form you are certifying that this application and any attached information is accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

Bill Bailey, Planning Director**Applicant¹ (Print)****Applicant Signature****May 2016****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Landscape Contractor – UDO Text Amendment

Permit Number:

220160226

Project Name/Number:

NA

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
May 2016	NA	NA	NA	NA

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¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

UDO Text Amendment Project Data Form

Town of Boone Planning & Inspections Department
 680 W. King Street, Suite C ♦ Boone, North Carolina 28607
 Phone (828) 268-6960 ♦ Fax (828) 268-6961
www.townofboone.net

Official Use Only**Project Name/Number:**

Landscape Contractor- UDO Text Amendment

Permit Name/Number:

20160226

A. TEXT INFORMATION**Amendment is to:**Article(s): Article 31 Landscape StandardsSection(s): 31.12 Compliance and Maintenance**Brief Description of Amendment (Attach Proposed Text):**See Reason for change below.**Reason for Change:**

On August 2, 2014 the North Carolina General Assembly (Session Law 2014-103, House Bill 366) modified the General Statute regarding when landscaping is required to be performed by a North Carolina licensed landscape contractors. These changes were effective as of August 1, 2015. The proposed draft brings the UDO into compliance with the modified statutes.

Official Use OnlyPublic Hearing Meeting Date: June 6, 2016PC Meeting Date: June 13, 2016TC Meeting Date: June 16, 2016Text Approved: ☐ Yes ☐ No

Date UDO Updated: _____

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Communication: Landscape Contractor - UDO Text Amendment Staff Report (Case 20160226 Landscape Contractor)

**STAFF REPORT
SPECIAL PUBLIC HEARING
JUNE 6, 2016**



CASE 20160226 LANDSCAPE CONTRACTORS- UDO TEXT AMENDMENT

Request

On August 2, 2014 the North Carolina General Assembly (Session Law 2014-103, House Bill 366) modified the General Statute regarding when landscaping is required to be performed by a North Carolina licensed landscape contractors. These changes were effective as of August 1, 2015. The proposed draft brings the UDO into compliance with the modified statutes. Please see attached Session Law 2014-103, House Bill 366.

ANALYSIS

The text below in ~~red strikethrough~~ is the text proposed to be deleted and the blue underline is the new text for consideration. Please note, text amendments will now contain the case number and effective date in italicized font at the end of the section in which the text was modified.

Compliance and Maintenance

31.12.01 Certificate of ~~Compliance-Occupancy, Completion or Zoning Compliance~~

- A. Landscaping must be installed according to the approved site plan and inspected prior to receiving ~~a certificate of compliance~~ final certification.
- B. All plant material shall meet or exceed size and shape relationships specified in the latest edition of the American Standard for Nursery Stock published by the American Association of Nurserymen.
 - 1. All sizes specified refer to size at time of planting. Vegetation shall be planted to ensure the best chance of survival and to reduce the potential expense of replacing damaged plant material.
 - 2. Caliper of the trunk of all new planted trees shall be taken six inches (6") above ground up to and including four inch (4") caliper, and twelve inches (12") above the ground for larger sizes. Seldom are tree trunks perfectly round. Caliper measurements may be taken with "pincer" type caliper, or diameter tape.
- C. Plant material must be installed by a landscape contractor licensed to practice in the State of North Carolina, unless the installation qualifies for an exemption under §13 of 89D of the General Statutes (as may be amended from time to time).

(20160226-xxxxxxxxx)

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 Comprehensive Plan Update](#)

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15): The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

Comprehensive Plan Policies: Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Commission and Council should review

these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.

E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

PLANNING BOARD REPORT/RECOMMENDATIONS

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning ordinance and believe ☐approval OR ☐denial is reasonable and in the public interest because:

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

**SESSION LAW 2014-103
HOUSE BILL 366**

AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING.

The General Assembly of North Carolina enacts:

MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE

SECTION 1.(a) Article 21 of Chapter 143 of the General Statutes is amended by adding two new sections to read:

"§ 143-215.9D. Agricultural operation investigations confidential.

Complaints of violations of this Article relating to an agricultural operation and all other records accumulated in conjunction with the investigation of these complaints shall be considered confidential records and may be released only by order of a court of competent jurisdiction. If the Department determines that a violation has occurred, the complaint of the violation and all records accumulated in conjunction with the investigation of the complaint shall be considered public records pursuant to G.S. 132-6. Any information obtained by the Department from any law enforcement agency, administrative agency, or regulatory



organization on a confidential or otherwise restricted basis in the course of such an investigation shall be confidential and exempt from the requirements of G.S. 132-6(a) to the same extent that it is confidential in the possession of the providing agency or organization.

"§ 143-215.9E. Initial consideration of complaint.

(a) When a complaint alleging a violation of this Article is filed with the Department, the Department may, at its sole discretion, request additional information to be provided by the complainant within a specified period of time of no less than seven business days.

(b) The Department may decline to accept or further investigate a complaint about an agricultural operation if, after an initial assessment of the complaint, the Department finds reasonable grounds to believe that the complaint is frivolous or was filed in bad faith."

SECTION 1.(b) The Department of Environment and Natural Resources shall adopt rules developing a system for receiving, investigating, and responding to environmental complaints about agricultural operations in accordance with Article 2A of Chapter 150B of the General Statutes, the Administrative Procedure Act.

CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER

SECTION 2.(a) If Senate Bill 38, 2013 Regular Session, becomes law, then G.S. 106-678, as enacted by Senate Bill 38, reads as rewritten:

"§ 106-678. Authority to regulate fertilizers.

No county, city, or other political subdivision of the State shall adopt or continue in effect any ordinance or resolution regulating the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, manufacture, or application of fertilizer. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from exercising its planning and zoning authority under Article 19 of Chapter 160A of the General Statutes or Article 18 of Chapter 153A of the General Statutes, or from exercising its fire prevention or inspection authority. Nothing in this section shall limit the authority of the Department of Environment and Natural Resources or the Environmental Management Commission to enforce water quality standards. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from adopting ordinances regulating fertilizers to protect water quality, provided that the ordinances have been approved by the Environmental Management Commission or the Department of Environment and Natural Resources as part of a local plan or National Pollutant Discharge Elimination System permit application and do not exceed the State's minimum requirements to protect water quality as established by the Environmental Management Commission under Part 1, Article 21 of Chapter 143 of the General Statutes. Nothing in this section shall prohibit a county or city from exercising its authority to regulate explosive, corrosive, inflammable, or radioactive substances pursuant to G.S. 153A-128 or G.S. 160A-183."

SECTION 2.(b) If Senate Bill 38, 2013 Regular Session, does not become law, then Article 56 of Chapter 106 of the General Statutes is amended by adding a new section to read:

"§ 106-678. Authority to regulate fertilizers.

No county, city, or other political subdivision of the State shall adopt or continue in effect any ordinance or resolution regulating the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, manufacture, or application of fertilizer. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from exercising its planning and zoning authority under Article 19 of Chapter 160A of the General Statutes or Article 18 of Chapter 153A of the General Statutes or from exercising its fire prevention or inspection authority. Nothing in this section shall limit the authority of the Department of Environment and Natural Resources or the Environmental Management Commission to enforce water quality standards. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from adopting ordinances regulating fertilizers to protect water quality, provided that the ordinances have been approved by the Environmental Management Commission or the Department of Environment and Natural Resources as part of a local plan or National Pollutant Discharge Elimination System permit application and do not exceed the State's minimum requirements to protect water quality as established by the Environmental Management Commission under Part 1 of Article 21 of Chapter 143 of the General Statutes. Nothing in this section shall prohibit a county or city from exercising its

authority to regulate explosive, corrosive, inflammable, or radioactive substances pursuant to G.S. 153A-128 or G.S. 160A-183."

REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES

SECTION 3.(a) G.S. 89D-1 through G.S. 89D-10 are repealed.

SECTION 3.(b) Chapter 89D of the General Statutes is amended by adding the following new sections to read:

"§ 89D-11. Definitions.

The following definitions apply in this Chapter:

- (1) Board. – The North Carolina Landscape Contractors' Licensing Board.
- (2) Landscape construction or contracting. – The act of providing services as a landscape contractor, as defined in this section, for compensation or other consideration.
- (3) Landscape contractor. – Any person who, for compensation or other consideration, does any of the following:
 - a. Engages in the business requiring the art, experience, ability, knowledge, science, and skill to prepare contracts and bid for the performance of landscape services, including installing, planting, repairing, and managing gardens, lawns, shrubs, vines, trees, or other decorative vegetation, including the finish grading and preparation of plots and areas of land for decorative utilitarian treatment and arrangement.
 - b. Practices the act of horticulture consultation or planting design for employment purposes.
 - c. Constructs, installs, or maintains landscape drainage systems and cisterns; provided the landscaping contractor makes no connection to pipes, fixtures, apparatus, or appurtenances installed upon the premises, or in a building, to supply water thereto or convey sewage or other waste therefrom as defined in G.S. 87-21.
 - d. Designs, installs, or maintains low-voltage landscape lighting systems, provided (i) the work does not exceed the scope of the exception set forth in G.S. 87-43.1(7) and (ii) the low-voltage lighting systems do not exceed 50 volts and constitute a Class II or Class III cord and plug connected power system.
 - e. Engages in the construction of garden pools, retaining walls, walks, patios, or other decorative landscape features.
- (4) Person. – An individual, firm, partnership, association, corporation, or other legal entity.

"§ 89D-12. License required; use of seal; posting license.

(a) Except as otherwise provided in this Chapter, no person shall engage in the practice of landscape construction or contracting, use the designation "landscape contractor," or advertise using any title or description that implies licensure as a landscape contractor unless the person is licensed as a landscape contractor as provided by this Chapter. All landscape construction or contracting performed by a partnership, association, corporation, firm, or other group shall be performed under an individual who is readily available to exercise supervision over the landscape construction and contracting work and who is licensed by the Board under this Chapter.

(b) Nothing in this Chapter shall be construed to authorize a landscape contractor to engage in any of the following:

- (1) The practice of landscape architecture, as defined in G.S. 89A-1.
- (2) The practice of engineering, as defined in G.S. 89C-3.
- (3) Practice as a well contractor certified under Article 7A of Chapter 87 of the General Statutes.
- (4) The practice of irrigation contracting, as defined in G.S. 89G-1.
- (5) The practice of architecture, as defined in G.S. 83A-1.
- (6) The practice of plumbing, heating group number one, heating group number two, heating group number three, fire sprinkler, or fuel piping contracting, as defined in G.S. 87-21, provided the landscaping contractor may install piping, fittings, valves, and associated components for the purpose of

landscape contracting that is downstream of a potable water source, groundwater source, or grey water source, and downstream of a backflow prevention assembly.

(7) The practice of electrical contracting, as defined in G.S. 87-43.

(c) A landscape contractor licensed under this Chapter is not required to be licensed as a general contractor under Article 1 of Chapter 87 of the General Statutes if the licensed landscape contractor is performing landscape construction or contracting work valued at an amount greater than thirty thousand dollars (\$30,000).

(d) Upon licensure by the Board, each landscape contractor shall obtain a seal of the design authorized by the Board and bearing the name of the licensee, the number of the license, and the legend "N.C. Licensed Landscape Contractor." A landscape contractor may use the seal only while the license is valid.

(e) Every landscape contractor issued a license under this Chapter shall display the license conspicuously in the landscape contractor's place of business. Every landscape contractor shall display the license number issued to the contractor by the Board on all business cards, contracts, and vehicles used by the contractor in the landscape contracting business.

"§ 89D-13. Exemptions.

The provisions of this Chapter shall not apply to the following:

- (1) Any federal, State, or local governmental agency performing landscaping on public property.
- (2) The North Carolina Department of Transportation (NCDOT). However, for landscape installations or establishment periods for any project that exceeds the current contract amount requiring performance and payment bonds according to State law, NCDOT shall require a licensed landscape contractor to perform the work. NCDOT, at its discretion, may require a licensed landscape contractor for landscape projects of any cost.
- (3) Any property owner performing landscape work on his or her own property.
- (4) Any person or business owning or operating a golf course.
- (5) Any landscaping work where the price of all contracts for labor, material, and other items for a given job site during any consecutive 12-month period is less than thirty thousand dollars (\$30,000). A local governmental unit shall not enact a local ordinance or regulation requiring licensure for landscaping work performed pursuant to this subdivision.
- (6) A general contractor licensed under Article 1 of Chapter 87 of the General Statutes who possesses a classification under G.S. 87-10(b) as a building contractor, a residential contractor, or a public utilities contractor.
- (7) Any person or business licensed as an electrical contractor under Article 4 of Chapter 87 of the General Statutes who is designing, installing, or maintaining any electric work, wiring, devices, appliances, or equipment.
- (8) Any person or business licensed as a plumbing contractor under Article 2 of Chapter 87 of the General Statutes who is installing pipes, fixtures, apparatus, or appurtenances to supply water thereto or convey sewage or other waste therefrom, including the installation, repair, or maintenance of water mains, water taps, services lines, water meters, or backflow prevention assemblies supplying water for irrigation systems or repairs to an irrigation system.
- (9) A professional engineer licensed pursuant to Chapter 89C of the General Statutes.
- (10) A professional landscape architect licensed under Chapter 89A of the General Statutes.
- (11) An individual or a business engaged in any of the following activities while performing that activity:
 - a. Clearing and grading plots and areas of land.
 - b. Erosion control.
 - c. Arboriculture, including consultations on pruning and removal of trees.
 - d. The installation of sod, seed, or plugs by sod producers certified by the Plant Industry Division of the North Carolina Department of Agriculture and Consumer Services.

- e. Landscape construction performed by utilities contractors for the purpose of grading and erosion control.
- f. Lawn mowing, turf edging, and debris removal services.
- g. Turf management or lawn care services only, including fertilization, aeration, weed control, or other turf management or lawn care practices other than mowing or edging.
- h. Design, installation, and maintenance of on-site wastewater disposal or reuse systems within the on-site wastewater permit specifications.
- (12) Any person performing landscaping work on a farm for use in agriculture production, farming, or ranching.

"§ 89D-14. The North Carolina Landscape Contractors' Licensing Board.

(a) There is created the North Carolina Landscape Contractors' Licensing Board. The Board shall consist of nine members appointed as follows:

- (1) One member appointed by the Governor who is a member of the general public.
- (2) One member appointed by the Commissioner of Agriculture pursuant to recommendations from The North Carolina Green Industry Council.
- (3) One member appointed by the Board of Directors of the North Carolina Nursery and Landscape Association, Inc., who is a practicing nurseryman operating a nursery certified by the North Carolina Department of Agriculture and Consumer Services Plant Industry Division.
- (4) Four members who are licensed landscape contractors in the business of landscape construction or contracting. One of the four members shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives pursuant to recommendations from The North Carolina Green Industry Council; one shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate pursuant to recommendations from the Carolinas Irrigation Association, who is also a licensed irrigation contractor; and two shall be appointed by the Board of Directors of the North Carolina Nursery and Landscape Association, Inc.
- (5) One member appointed by the Board of Directors of the North Carolina Chapter of the American Society of Landscape Architects who is a registered landscape architect.
- (6) One member appointed by the President of The University of North Carolina from within the land grant university community who is knowledgeable in landscaping methods and practices.

(b) All appointments shall be for three-year terms. No member shall serve more than two complete consecutive terms.

(c) A vacancy on the Board created by death, resignation, or otherwise shall be filled in the same manner as the original appointment, except that all unexpired terms of Board members appointed by the General Assembly shall be filled in accordance with G.S. 120-122. Appointees to fill vacancies shall serve the remainder of the unexpired term and until their successors are appointed and qualified.

(d) The Board shall elect annually a chair and other officers as it deems necessary to carry out the purposes of this Chapter and shall hold meetings at least twice a year. A majority of the Board shall constitute a quorum.

(e) Each member of the Board may receive per diem and reimbursement for travel and subsistence as set forth in G.S. 93B-5.

(f) The Board shall be entitled to the services of the Attorney General in connection with the affairs of the Board or may, in its discretion, employ an attorney to assist or represent it in the enforcement of this Chapter.

"§ 89D-15. Powers and duties.

The Board shall have the following powers and duties:

- (1) Administer and enforce the provisions of this Chapter.
- (2) Adopt, amend, or repeal rules to carry out the provisions of this Chapter.
- (3) Examine and determine the qualifications and fitness of applicants for licensure and licensure renewal.
- (4) Issue, renew, deny, restrict, suspend, or revoke licenses.

- (5) Reprimand or otherwise discipline licensees under this Chapter.
- (6) Receive and investigate complaints from members of the public.
- (7) Conduct investigations to determine whether violations of this Chapter exist or constitute grounds for disciplinary action against licensees under this Chapter.
- (8) Conduct administrative hearings in accordance with Article 3A of Chapter 150B of the General Statutes.
- (9) Seek injunctive relief through any court of competent jurisdiction for violations of this Chapter.
- (10) Collect fees required by G.S. 89D-21 and any other moneys permitted by law to be paid to the Board.
- (11) Require licensees to file and maintain an adequate surety bond.
- (12) Establish and approve continuing education requirements for persons licensed under this Chapter.
- (13) Employ a secretary-treasurer and any other clerical personnel the Board deems necessary to carry out the provisions of this Chapter and to fix compensation for employees.
- (14) Maintain a record of all proceedings conducted by the Board and make available to licensees and other concerned parties an annual report of all Board action.
- (15) Adopt and publish a code of professional conduct for all persons licensed under this Chapter.
- (16) Adopt and publish a code of minimum practice standards for landscape construction and contracting.
- (17) Adopt a seal containing the name of the Board for use on licenses and official reports issued by the Board.

"§ 89D-16. Application for license; qualifications; examination; issuance.

(a) Upon application to the Board and payment of the required fees, an applicant for licensure as a landscape contractor may sit for the examination if the applicant submits evidence demonstrating the applicant's qualifications for licensure under this Chapter as prescribed in rules adopted by the Board and meets all of the following qualifications:

- (1) Is at least 18 years of age.
- (2) Is of good moral character as determined by the Board.
- (3) Provides evidence of business identification as required by the Board.
- (4) Files with the Board and maintains a corporate surety bond executed by a company authorized to do business in this State or an irrevocable letter of credit issued by an insured institution. The surety bond or the letter of credit shall be in the amount of ten thousand dollars (\$10,000). The surety bond or letter of credit shall be approved by the Board as to form and shall be conditioned upon the obligor faithfully conforming to and abiding by the provisions of this Chapter. Any person claiming to be injured by an act of a licensed landscape contractor that constitutes a violation of this Chapter may institute an action to recover against the licensee and the surety.

(b) If the applicant meets all the qualifications in subsection (a) of this section, the applicant shall be required to pass an examination administered by the Board before the Board may issue the license. The Board shall establish the scope and subject matter of the examination to be administered. The Board shall administer examinations at least twice a year at a time and place to be determined by the Board.

(c) When the Board determines that an applicant has met all the qualifications for licensure, submitted the required fee, and passed the examination, the Board shall issue a license to the applicant.

"§ 89D-17. Corporations; partnerships; persons doing business under trade name.

(a) The Board may issue a license in the name of a corporation if the corporation complies with the following:

- (1) One or more officers or full-time employees, or both, empowered to act for the corporation are individuals licensed under this Chapter.
- (2) Only the officers or employees described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the

name of a corporation and are readily available to exercise supervision over the work performed pursuant to the contract.

(b) The Board may issue a license in the name of a limited liability company if the company complies with the following:

- (1) One or more managers, as defined in G.S. 57D-1-03, executives, or full-time employees, or a combination thereof, are individuals licensed under this Chapter.
- (2) Only the managers, executives, or employees described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the name of the limited liability company and are readily available to exercise supervision over the work performed pursuant to the contract.

(c) The Board may issue a license in the name of a partnership if the partnership complies with the following:

- (1) One or more general partners or full-time employees empowered to act for the partnership are individuals licensed under this Chapter.
- (2) Only the partners or employees described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the name of the partnership and are readily available to exercise supervision over the work performed pursuant to the contract.

(d) The Board may issue a license in an assumed or designated trade name if the owner of the business complies with the following:

- (1) The owner or one or more full-time employees empowered to act for the owner is an individual licensed under this Chapter.
- (2) Only the persons described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the assumed or designated trade name of the business and are readily available to exercise supervision over the work performed pursuant to the contract.

(e) When the Board issues a license under this section, the Board shall indicate on the license the name and license number of the individual licensee connected to the corporation, partnership, or business conducted under an assumed or designated trade name.

(f) A person licensed pursuant to this section shall be readily available to exercise supervision over a contract for landscape construction or contracting until the contract is completed.

(g) When a licensee executes a contract for landscape construction or contracting in any capacity other than as a sole proprietor contracting on the licensee's own behalf, the person on whose behalf the licensee is executing the contract shall be licensed under this section.

(h) A corporation, partnership, or person doing business under an assumed or designated trade name shall notify the Board in accordance with rules adopted by the Board if an individual licensee who is indicated in the license issued under this section ceases to be an officer, partner, owner, or employee of the corporation, partnership, or person doing business under the assumed or designated trade name. If the corporation, partnership, or person no longer has an officer, general partner, owner, or employee described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section, the corporation, partnership, or person shall have 120 days from the date the officer, general partner, owner, or employee ceases the relationship with the corporation, partnership, or person to satisfy the requirements described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section. The Board may, in its discretion, grant the corporation, partnership, or person a period greater than 120 days to satisfy the requirements described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section as it deems appropriate. After 120 days, or a time period greater than 120 days as approved by the Board, if the corporation, partnership, or person does not have an officer, general partner, owner, or employee as described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section, the license issued under this section is automatically suspended and the corporation, partnership, or person shall cease practicing landscape construction or contracting.

"§ 89D-18. Licensing of nonresidents.

(a) Definitions. – The following definitions apply in this section:

- (1) Delinquent income tax debt. – The amount of income tax due as stated in a final notice of assessment issued to a taxpayer by the Secretary of Revenue when the taxpayer no longer has the right to contest the amount.
- (2) Foreign corporation. – A corporation as defined in G.S. 55-1-40.
- (3) Foreign entity. – A foreign corporation, a foreign limited liability company, or a foreign partnership.
- (4) Foreign limited liability company. – A company as defined in G.S. 57D-1-03.
- (5) Foreign partnership. – One of the following that does not have a permanent place of business in this State:
 - a. A foreign limited partnership as defined in G.S. 59-102.
 - b. A general partnership formed under the laws of a jurisdiction other than this State.

(b) Licensing. – Except as provided in this section, the Board may issue a license to a nonresident individual or a foreign entity that meets the requirements for licensure under this Chapter.

(c) Certificate of Authority Required. – The Board shall not issue a license for a foreign corporation unless the corporation has obtained a certificate of authority from the Secretary of State pursuant to Article 15 of Chapter 55 of the General Statutes. The Board shall not issue a license for a foreign limited liability company unless the company has obtained a certificate of authority from the Secretary of State pursuant to Article 7 of Chapter 57D of the General Statutes.

(d) Information. – The Board, upon request, shall provide the Secretary of Revenue the name, address, and tax identification number of every nonresident individual and foreign entity licensed by the Board. The information to be provided under this section shall be in a form required by the Secretary of Revenue.

(e) Delinquents. – If the Secretary of Revenue determines that any nonresident individual or foreign entity licensed by the Board owes a delinquent income tax debt, the Secretary of Revenue may notify the Board of the nonresident individual or foreign entity and instruct the Board not to renew the nonresident individual or foreign entity's license. The Board shall not renew the license of a nonresident individual or foreign entity identified by the Secretary of Revenue unless the Board receives a written statement from the Secretary that (i) the debt has been paid or (ii) the debt is being paid pursuant to an installment agreement.

"§ 89D-19. Reciprocity.

The Board may issue a license, without examination, to any person who is a landscape contractor licensed, certified, or registered in another state or country if the requirements for licensure, certification, or registration in the other state or country are substantially equivalent to the requirements for licensure in this State.

"§ 89D-20. License renewal and continuing education.

(a) Every license issued under this Chapter shall be renewed on or before the first day of August of each year. Any person who desires to continue to practice shall apply for a license renewal and shall submit the required fee. Licenses that are not renewed shall be automatically revoked. A license may be renewed at any time within one year after its expiration if (i) the applicant pays the required renewal fee and late renewal fee, (ii) the Board finds that the applicant has not used the license in a manner inconsistent with the provisions of this Chapter or engaged in the practice of landscape construction or contracting after notice of revocation, and (iii) the applicant is otherwise eligible for licensure under the provisions of this Chapter. When necessary, the Board may require licensees to demonstrate continued competence as a condition of license renewal.

(b) As a condition of license renewal, a licensee shall meet the continuing education requirements set by the Board. Each licensee shall complete seven continuing education units per year. The Board may suspend a licensee's license for 30 days for failure to obtain continuing education units required by this subsection. Upon payment of a reinstatement fee, submission to the Board of proof of the continuing education units required by this subsection, and payment of the license renewal fee and late renewal fee, the licensee's license shall be reinstated. Failure to request a reinstatement of the license and failure to pay the reinstatement fee, renewal fee, and late renewal fee shall result in the forfeiture of a license. Upon forfeiture, a person shall be required to submit a new application and retake the examination as provided in this Chapter.

"§ 89D-21. Expenses and fees.

(a) The Board may impose the following fees not to exceed the amounts listed below:

(1)	<u>Application fee</u>	<u>\$100.00</u>
(2)	<u>Examination fee</u>	<u>250.00</u>
(3)	<u>Individual license fee and individual license renewal</u>	<u>100.00</u>
(4)	<u>Initial corporate, limited liability company, partnership, or trade name license</u>	<u>100.00</u>
(5)	<u>Corporate, limited liability company, partnership, or trade name license renewal</u>	<u>100.00</u>
(6)	<u>Late renewal fee</u>	<u>50.00</u>
(7)	<u>Reinstatement fee</u>	<u>250.00</u>
(8)	<u>License by reciprocity</u>	<u>250.00</u>
(9)	<u>Duplicate license</u>	<u>25.00</u>

(b) When the Board uses a testing service for the preparation, administration, or grading of examinations, the Board may charge the applicant the actual cost of the examination services and a prorated portion of the examination fee.

"§ 89D-22. Disciplinary action.

(a) The Board may deny, restrict, suspend, or revoke a license or refuse to issue or renew a license if a licensee or applicant does any of the following:

- (1) Employs the use of fraud, deceit, or misrepresentation in obtaining or attempting to obtain a license or the renewal of a license.
- (2) Practices or attempts to practice landscape construction or contracting by fraudulent misrepresentation.
- (3) Commits an act of gross malpractice or incompetence as determined by the Board.
- (4) Has been convicted of or pled guilty or no contest to a crime that indicates that the person is unfit or incompetent to practice as a landscape contractor or that indicates that the person has deceived or defrauded the public.
- (5) Has been declared incompetent by a court of competent jurisdiction.
- (6) Has willfully violated any provision in this Chapter or any rules adopted by the Board.
- (7) Uses or attempts to use the seal in a fraudulent or unauthorized manner.
- (8) Fails to file the required surety bond or letter of credit or to keep the bond or letter of credit in force.

(b) The Board may assess costs, including reasonable attorneys' fees and investigatory costs, in a proceeding under this section against an applicant or licensee found to be in violation of this Chapter.

"§ 89D-23. Civil penalties.

(a) In addition to taking any of the actions permitted under G.S. 89D-22, the Board may assess a civil penalty not in excess of two thousand dollars (\$2,000) for each violation of any section of this Chapter or the violation of any rules adopted by the Board. The clear proceeds of any civil penalty assessed under this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(b) Before imposing and assessing a civil penalty and fixing the amount of the penalty, the Board shall, as a part of its deliberations, take into consideration the following factors:

- (1) The nature, gravity, and persistence of the particular violation.
- (2) The appropriateness of the imposition of a civil penalty when considered alone or in combination with other punishment.
- (3) Whether the violation was willful and malicious.
- (4) Any other factors that would tend to mitigate or aggravate the violations found to exist.

"§ 89D-24. Injunction to prevent violation; notification of complaints.

(a) If the Board finds that a person who does not have a license issued under this Chapter is engaging in the practice of landscape construction or contracting, the Board may appear in its own name in superior court in actions for injunctive relief to prevent any person from violating the provisions of this Chapter or the rules adopted by the Board.

(b) A licensed landscape contractor shall notify the Board of any written complaints filed against the landscape contractor not resolved within 30 days from the date the complaint was filed by registered mail to the Board."

SECTION 3.(c) Members serving on the North Carolina Landscape Contractors' Registration Board on the effective date of this act shall continue to serve until members of the North Carolina Landscape Contractors' Licensing Board, G.S. 89D-14(a), as enacted by Section 3(b) of this act, are appointed.

SECTION 3.(d) Once the term of one of the current public members appointed by the Governor expires, the General Assembly, upon the recommendation of the Speaker of the House of Representatives, shall appoint a licensed landscape contractor in the business of landscape construction and contracting. Once the term of one of the current members appointed by the Commissioner of Agriculture expires, the General Assembly, upon the recommendation of the President Pro Tempore of the Senate, shall appoint a licensed landscape contractor in the business of landscape construction and contracting. All records, staff, funds, and other items of the North Carolina Landscape Contractors' Registration Board are transferred to and made the property of the North Carolina Landscape Contractors' Licensing Board.

SECTION 3.(e) Any person who, on or before December 31, 2014, meets at least one of the following criteria shall be issued a landscape contractor's license by the North Carolina Landscape Contractors' Licensing Board, without the requirement of examination, upon submission of a completed application and payment of the application fee on or before August 1, 2015:

- (1) Is registered as a landscape contractor.
- (2) Is licensed as an irrigation contractor.
- (3) Is certified as a turf grass professional.
- (4) Has three years of documented experience in the person's own business as a landscape contractor or three years of documented experience as an employee in a landscape contracting business and meets all other requirements and qualifications for licensure as a landscape contractor. Educational experience can be applied toward the three-year experience requirement as follows:
 - a. One year of credit for a two-year degree in related educational training.
 - b. Two years of credit for a four-year degree in related educational training.
 - c. Up to two years of credit for education or business experience in general business management.

Landscape contractors currently registered under Chapter 89D of the General Statutes shall not be required to renew the registration for the 2015 calendar year to qualify for the landscape contractor's license, as enacted by Section 3(b) of this act.

SECTION 3.(f) This section becomes effective August 1, 2015.

STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM

SECTION 4. The Department of Public Safety shall study the State's participation in the Commercial Vehicle Safety Alliance North American Standard Inspection Program for roadside commercial vehicle safety inspections. The study shall include (i) a history of when North Carolina joined the program; (ii) an explanation of how the program is currently being implemented; (iii) data on how many safety inspection decals are issued annually; and (iv) a geographic analysis of where safety inspection decals are issued within the State. The Department shall report the results of its study to the Agriculture and Forestry Awareness Study Commission on or before February 1, 2015.

CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS

SECTION 5. G.S. 20-381 is amended by adding a new subsection to read:
"§ 20-381. Specific powers and duties of Department of Public Safety applicable to motor carriers; agricultural exemption.

...

(c) For purposes of 49 C.F.R. § 395.1(k) and any other federal law or regulation relating to hours-of-service rules for drivers engaged in the transportation of agricultural commodities and farm supplies for agricultural purposes, the terms "planting and harvesting season" and "planting and harvesting period" refer to the period from January 1 through December 31 of each year."

AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION

SECTION 6. G.S. 120-150 reads as rewritten:

"§ 120-150. Creation; appointment of members.

There is created an Agriculture and Forestry Awareness Study Commission. Members of the Commission shall be citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. Members shall be as follows:

- (1) Three appointed by the Governor.
- (2) Three appointed by the President Pro Tempore of the Senate.
- (3) Three appointed by the Speaker of the House.
- (4) The chairs of the House Agriculture Committee.
- (5) The chairs of the Senate Committee on Agriculture, Environment, and Natural Resources.
- (6) The Commissioner of Agriculture or the Commissioner's designee.
- (7) A member of the Board of Agriculture designated by the chair of the Board of Agriculture.
- (8) The President of the North Carolina Farm Bureau Federation, Inc., or the President's designee.
- (9) The President of the North Carolina State Grange or the President's designee.
- (10) The Secretary of Environment and Natural Resources or the Secretary's designee.
- (11) The President of the North Carolina Forestry Association, Inc., or the President's designee.

Members shall be appointed for two-year terms beginning October 1 of each odd-numbered year. The Chairs of the House Agriculture Committee and the Chairs of the Senate Committee on Agriculture, Environment, and Natural Resources shall serve as cochairs. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may each appoint an additional member of the Senate and House, respectively, to serve as cochair. If appointed, these cochairs shall be voting members of the Commission."

ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE

SECTION 7. G.S. 106-900 reads as rewritten:

"§ 106-900. Powers of ~~forest~~ Department of Agriculture and Consumer Services law-enforcement officers.

The Commissioner is authorized to appoint as many ~~forest law-enforcement~~ Department of Agriculture and Consumer Services law enforcement officers as he or she deems necessary to ~~carry out the forest law-enforcement responsibilities of the Department~~ investigate and enforce any violation of the laws within the authority of the Department or which occur on Department property. Such officers shall meet the requirements of Chapter 17C of the General Statutes and shall take the oath of office prescribed by Section 7 of Article VI of the North Carolina Constitution. ~~Forest law-enforcement officers shall~~ Of these officers, the Commissioner may designate certain officers to also have all the powers and the duties of a forest ranger enumerated in G.S. 106-898 and ~~G.S. 106-899. G.S. 106-899 and the power to enforce the forest laws. Forest law-enforcement officers shall, in addition to their other duties, have the powers of peace officers to enforce the forest laws. Any forest~~ A Department law-enforcement law enforcement officer may arrest, without warrant, any person or persons committing any crime in ~~his-the officer's~~ presence or ~~whom~~ whom such officer has probable cause for believing has committed a crime in ~~his-the officer's~~ presence and bring such person or persons forthwith before a district court or other officer having jurisdiction. ~~Forest~~ Department law-enforcement law enforcement officers shall also have authority to obtain and serve warrants including warrants for violation of any duly promulgated rule of the Department."

AMEND HORSE INDUSTRY PROMOTION ACT

SECTION 8. G.S. 106-822 reads as rewritten:

"§ 106-822. Definitions.

As used in this Article:

- (1) "Commercial horse feed" means any commercial feed, as defined in G.S. 106-284.33, labeled or marketed for equine use.
- (2) "Council" means the North Carolina Horse Council.
- (3) "Department" means the Department of Agriculture and Consumer Services.
- (4) "Equine" means a horse, pony, mule, donkey, or hinny.
- (5) "Horse owner" means a person who (i) is a North Carolina resident and (ii) owns or leases an equine."

PESTICIDE USE FOR MOLES

SECTION 9. G.S. 113-300.2 is amended by adding a new subsection to read:

"(g) Notwithstanding any other provision of law, it is lawful to use any pesticide registered by the Pesticide Board to control any species of mole other than the Star-Nosed Mole (*Condylura cristata parva*), provided that (i) all rules regulating the application of pesticides adopted by the Pesticide Board are followed and (ii) pesticides used to control these species are applied in a manner that minimizes hazards to nontarget species."

ADD AGRICULTURAL FACILITIES TO FIRST DEGREE TRESPASS

SECTION 10.(a) G.S. 14-159.12(c)(1) is amended by adding a new sub-subdivision to read:

"§ 14-159.12. First degree trespass.

(c) Except as otherwise provided in subsection (d) of this section, a violation of subsection (a) of this section is a Class A1 misdemeanor if all of the following circumstances exist:

- (1) The offense is committed on the premises of any of the following:
 - a. A facility that is owned or operated by an electric power supplier as defined in G.S. 62-133.8(a)(3) and that is either an electric generation facility, a transmission substation, a transmission switching station, a transmission switching structure, or a control center used to manage transmission operations or electrical power generating at multiple plant locations.
 - b. Any facility used or available for use in the collection, treatment, testing, storing, pumping, or distribution of water for a public water system.
 - c. Any facility, including any liquefied natural gas storage facility or propane air facility, that is owned or operated by a natural gas local distribution company, natural gas pipeline carrier operating under a certificate of public convenience and necessity from the Utilities Commission, municipal corporation operating a municipally owned gas distribution system, or regional natural gas district organized and operated pursuant to Article 28 of Chapter 160A of the General Statutes used for transmission, distribution, measurement, testing, regulating, compression, control, or storage of natural gas.
 - d. Any facility used or operated for agricultural activities, as that term is defined in G.S. 106-581.1."

SECTION 10.(b) This section becomes effective December 1, 2014, and applies to offenses committed on or after that date.

REQUIRE WRITTEN CONSENT TO OPERATE ALL TERRAIN VEHICLES ON PRIVATE PROPERTY

SECTION 11.(a) G.S. 14-159.3 reads as rewritten:

"§ 14-159.3. Trespass to land on motorized all terrain vehicle.

- (a) No person shall operate any motorized all terrain vehicle:

- (1) On any private property not owned by the operator, without the written consent of the owner; or
- (2) Within the banks of any stream or waterway, but excluding a sound or the Atlantic Ocean, the adjacent lands of which are not owned by the operator, without the consent of the owner or outside the restrictions imposed by the owner.

(a1) A landowner who gives a person written consent to operate an all-terrain vehicle on his or her property owes the person the same duty of care that he or she owes a trespasser.

(b) A "motorized all terrain vehicle", as used in this section, is a two or more wheeled vehicle designed for recreational off-road use.

(c) A violation of this section shall be a Class 2 misdemeanor."

SECTION 11.(b) This section becomes effective December 1, 2014, and applies to offenses committed on or after that date.

ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES

SECTION 12. G.S. 156-82.1 is amended by adding a new subsection to read:

"§ 156-82.1. Duties and powers of the board of drainage commissioners.

(a) The board of drainage commissioners shall proceed with the levying of assessments, issuance of bonds and construction of canals, water retardant structures and other improvements and acquisition of equipment as approved by the court in the adjudication upon the final report of the board of viewers, either in the creation of the district or in subsequent proceedings authorized by Article 7B.

(b) The commissioners shall maintain the canals, water retardant structures, and all other improvements and equipment of the district.

(b1) No State statute or rule or local government ordinance for the establishment, preservation, or maintenance of riparian buffers for the protection of water quality shall apply to the construction, operation, maintenance, or repair of canals, water retardant structures, or other improvements under the control and supervision of a board of drainage commissioners.

...."

CLARIFY PERIODIC INSPECTIONS AUTHORITY OF HOUSING FINANCE AGENCY

SECTION 13.(a) G.S. 153A-364 reads as rewritten:

"§ 153A-364. Periodic inspections for hazardous or unlawful conditions.

(b) A county may require periodic inspections as part of a targeted effort within a geographic area that has been designated by the county commissioners. The county shall not discriminate in its selection of areas or housing types to be targeted and shall (i) provide notice to all owners and residents of properties in the affected area about the periodic inspections plan and information regarding a public hearing regarding the plan; (ii) hold a public hearing regarding the plan; and (iii) establish a plan to address the ability of low-income residential property owners to comply with minimum housing code standards. A residential building or structure that is subject to periodic inspections by the North Carolina Housing Finance Agency (hereinafter "Agency") shall not be subject to periodic inspections under this subsection if the Agency has issued a finding that the building or structure is in compliance with federal standards established by the United States Department of Housing and Urban Development to assess the physical condition of residential property. The owner or manager of a residential building or structure subject to periodic inspections by the Agency shall, within 10 days of receipt, submit to the inspection department a copy of the Compliance Results Letter issued by the Agency showing that the residential building or structure is in compliance with federal housing inspection standards. If the owner or manager fails to submit a copy of the Compliance Results Letter as provided in this subsection, the residential building or structure shall be subject to periodic inspections as provided in this subsection until the Compliance Results Letter is submitted to the inspection department.

...."

SECTION 13.(b) G.S. 160A-424 reads as rewritten:

"§ 160A-424. Periodic inspections.

...

(b) A city may require periodic inspections as part of a targeted effort within a geographic area that has been designated by the city council. The municipality shall not discriminate in its selection of areas or housing types to be targeted and shall (i) provide notice to all owners and residents of properties in the affected area about the periodic inspections plan and information regarding a public hearing regarding the plan; (ii) hold a public hearing regarding the plan; and (iii) establish a plan to address the ability of low-income residential property owners to comply with minimum housing code standards. A residential building or structure that is subject to periodic inspections by the North Carolina Housing Finance Agency (hereinafter "Agency") shall not be subject to periodic inspections under this subsection if the Agency has issued a finding that the building or structure is in compliance with federal standards established by the United States Department of Housing and Urban Development to assess the physical condition of residential property. The owner or manager of a residential building or structure subject to periodic inspections by the Agency shall, within 10 days of receipt, submit to the inspection department a copy of the Compliance Results Letter issued by the Agency showing that the residential building or structure is in compliance with federal housing inspection standards. If the owner or manager fails to submit a copy of the Compliance Results Letter as provided in this subsection, the residential building or structure shall be subject to periodic inspections as provided in this subsection until the Compliance Results Letter is submitted to the inspection department.

...."

PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS

SECTION 14.(a) Notwithstanding Section 1008.1.4.5 of the 2012 NC State Building Code (Fire Code), horizontal sliding or vertical security grilles shall be permitted at all exits or exit access doorways, provided that the grilles are openable from the inside without the use of a key or special knowledge or effort during periods that the space is occupied by authorized persons and that the grilles remain secured in the full-open position during the period of occupancy by the general public.

SECTION 14.(b) The Building Code Council shall adopt a rule to amend Section 1008.1.4.5 of the 2012 NC State Building Code (Fire Code) consistent with Section 14(a) of this section.

SECTION 14.(c) Section 14(a) of this section expires on the date that the rule adopted pursuant to Section 14(b) of this section becomes effective.

DESIGNATE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE

SECTION 15. G.S. 106-550 reads as rewritten:

"§ 106-550. Policy as to promotion of use of, and markets for, farm products.

(a) It is declared to be in the interest of the public welfare that the North Carolina farmers who are producers of livestock, poultry, seafood, field crops and other agricultural products, including cattle, sheep, broilers, turkeys, commercial eggs, peanuts, cotton, potatoes, sweet potatoes, peaches, apples, berries, vegetables and other fruits of all kinds, as well as bulbs and flowers and other agricultural products having a domestic or foreign market, shall be permitted and encouraged to act jointly and in cooperation with growers, handlers, dealers and processors of such products in promoting and stimulating, by advertising and other methods, the increased production, use and sale, domestic and foreign, of any and all of such agricultural commodities. The provisions of this Article, however, shall not include the agricultural products of tobacco, strawberries, strawberry plants, porcine animals, or equines, with respect to which separate provisions have been made.

(b) The "Got to Be NC" marketing campaign of the Department of Agriculture and Consumer Services shall be the official agricultural marketing campaign for the State."

ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS

SECTION 16. G.S. 143-440(b) reads as rewritten:

(b) The Board may include in any such restricted use regulation the time and conditions of sale, distribution, or use of such restricted use pesticides, may prohibit the use of any restricted use pesticide for designated purposes or at designated times; may require the purchaser or user to certify that restricted use pesticides will be used only as labeled or as

further restricted by regulation; may require the certification and recertification of private applicators, and charge a fee of up to ten dollars (\$10.00), with the fee set at a level to make the certification/recertification program self-supporting, and, after opportunity for a hearing, may suspend, revoke or modify the certification for violation of any provision of this Article, or any rule or regulation adopted thereunder; may adopt rules to classify private applicators; and may, if it deems it necessary to carry out the provisions of this Part, require that any or all restricted use pesticides shall be purchased, possessed, or used only under permit of the Board and under its direct supervision in certain areas and/or under certain conditions or in certain quantities or concentrations except that any person licensed to sell such pesticides may purchase and possess such pesticides without a permit. The Board may require all persons issued such permits to maintain records as to the use of the restricted use pesticides. The Board may authorize the use of restricted use pesticides by persons licensed under the North Carolina Structural Pest Control Act without a permit. A nonrefundable fee of ten dollars (\$10.00) shall be charged for each examination required by this section. This examination fee is in addition to the certification or recertification fee, and any other fee authorized pursuant to any other provision of Article 4C of Chapter 106 of the General Statutes."

EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING

SECTION 17. G.S. 150B-1(d) is amended by adding a new subdivision to read:

"(d) Exemptions from Rule Making. – Article 2A of this Chapter does not apply to the following:

...

(26) The Board of Agriculture in the Department of Agriculture and Consumer Services with respect to annual admission fees for the State Fair. The Board shall annually post the admission fee schedule on its Web site and provide notice of the fee schedule, along with a citation to this section, to all persons named on the mailing list maintained pursuant to G.S. 150B-21.2(d)."

SEVERABILITY AND EFFECTIVE DATE

SECTION 18.(a) If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part so declared to be unconstitutional or invalid.

SECTION 18.(b) Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2nd day of August, 2014.

s/ Chad Barefoot
Presiding Officer of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 5:05 p.m. this 6th day of August, 2014



**Town of Boone
Planning and Inspections
Memorandum**

To: Town Council; Planning Commission

From: Jane Shook, Planning Supervisor

Date: June 6, 2016

RE: Case 20160226 Landscape Contractor - Addition of revised text

Attached is revised language for Case 20160226. This language as suggested by the Town Attorney, lists the most common exemptions under NC General Statutes §13 of 89D, so that Planning Staff and applicants would not have to review the statute every time a permit included landscape requirements.

Communication: Supplemental Report- Revised Text (Case 20160226 Landscape Contractor)

Article 31 LANDSCAPE STANDARDS

31.12 Compliance and Maintenance

31.12.01 Certificate of ~~Compliance~~ Occupancy, Completion or Zoning Compliance

- A. Landscaping must be installed according to the approved site plan and inspected prior to receiving ~~a certificate of compliance~~ final certification.
- B. All plant material shall meet or exceed size and shape relationships specified in the latest edition of the American Standard for Nursery Stock published by the American Association of Nurserymen.
 - 1. All sizes specified refer to size at time of planting. Vegetation shall be planted to ensure the best chance of survival and to reduce the potential expense of replacing damaged plant material.
 - 2. Caliper of the trunk of all new planted trees shall be taken six inches (6") above ground up to and including four inch (4") caliper, and twelve inches (12") above the ground for larger sizes. Seldom are tree trunks perfectly round. Caliper measurements may be taken with "pincer" type caliper, or diameter tape.
- C. Plant material must be installed by a landscape contractor licensed to practice in the State of North Carolina, except that this provision does not apply with respect to:
 - 1. Landscaping work where the price of all contracts for labor, material, and other items for a given job site during any consecutive 12-month period is less than \$30,000.00;
 - 2. A federal, State, or local governmental agency performing landscaping on public property;
 - 3. A property owner performing landscape work on his or her own property;
 - 4. A general contractor licensed under Article 1 of Chapter 87 of the General Statutes who possesses a classification under G.S. 87-10(b) as a building contractor, a residential contractor, or a public utilities contractor;
 - 5. Any other circumstance where the installation qualifies for an exemption under §13 of Chapter 89D of the General Statutes (as such may be amended from time to time).

Zoning/Planning Permit Application

Town of Boone Planning & Inspections Department
 680 W. King Street, Suite C ♦ Boone, North Carolina 28607
 Phone (828) 268-6960 ♦ Fax (828) 268-6961
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
☐ Commercial
☐ Board of Adjustment Hearing (other than Appeals)
☐ Planning/Other

A. CONTACT INFORMATION

Applicant: John Winkler Company: The Winkler Organization

Address: PO Box 2675 Boone, NC 28607

Phone Number: 828-262-3431 Email Address: winkheelsfan@yahoo.com

Property Owner: Howard Street Ventures, LLC Company: N/A

Address: PO Box 2675 Boone, NC 28607

Phone Number: 828-262-3431 Email Address: winkheelsfan@yahoo.com

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): 2900-79-7562-000, 2900-79-6480-000

Address/Location: 783 West King Street Boone, NC

Project Name: Marketplace Mixed Use

C. PERMIT SUBCATEGORIES**Additional Forms Needed****Zoning Permits**

- | | |
|---|---|
| ☐ Accessory Building | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Addition/Expansion including decks and patios | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Change of Occupancy | *Commercial Project Data Form |
| ☐ Land Disturbance (not associated with the construction of a bldg.) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Manufactured Home Set-up in Park | *Manufactured Home in Park Form |
| ☐ New Building Construction | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Renovation/Remodel | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Accessory Use (as listed in UDO Subsection 15.07.01) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Temporary Use (as listed in UDO Subsection 15.07.02) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Sign | *Sign Project Data Form (Zoning) |
| ☐ Pavement Sealant | *Pavement Sealant Project Data Form |
| ☐ Major Subdivision Zoning Permit | *Commercial Project Data Form |

Board of Adjustment Hearings

- | | |
|--|---|
| ☐ Special Use Permit/Modification | *Special Use Permit Form |
| ☐ Variance | *Variance Form |
| ☐ Major Subdivision Preliminary Plat Approval | *Major Subdivision Preliminary Plat Approval Form |

Planning/Other

- | | |
|---|--|
| ☐ Exempt Division of Land | *Subdivision Exemption Project Data Form |
| ☐ Minor Subdivision (Preliminary and Final Plat) | *Minor Subdivision Project Data Form |
| ☐ Major Subdivision (Final Plat) | *Major Subdivision Final Plat Project Data Form |
| ☐ UDO Text Amendment | *Text Amendment Project Data Form |
| ☐ General Use Zoning Map Amendment | *General Use Map Zoning Map Amendment Project Data Form |
| ☒ Conditional District Zoning Map Amendment (PDR) | *Conditional District Zoning Map Amendment Project Data Form |
| ☐ Voluntary Annexation | *Annexation Petition (Satellite or Contiguous) |
| ☐ UDO Text Interpretation | *UDO Interpretation Data Form |

D. DETAILED DESCRIPTION OF PROJECT

Mixed Use Building with approximately 18,285 SF of retail/commercial space, 159 bedrooms, and parking deck

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: John Winkler

Company: The Winkler Organization

Address: PO Box 2675 Boone, NC 28607

License #: N/A

Phone Number: 828-262-3431

Email Address: winkheelsfan@yahoo.com

F. DESIGN PROFESSIONAL INFORMATION

Engineer:

Name: Jason Gaston, P.E.

Company: Valor Engineering, PLLC

Address: 215 Boone Hts. Dr. Ste. 107 Boone, NC

License #: 035233

Phone Number: 828-262-9807

Email Address: jason@valorengineering.com

Architect:

Name: Brent Davis, AIA

Company: Brent Davis Architecture, Inc.

Address: 189 Sally St, Boone, NC 28607

License #: 4921

Phone Number: 828-265-4848

Email Address: bda.arch@yahoo.com

G. APPLICANT SIGNATURE: By signing this form you are certifying that this application and any attached information is accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

John Winkler

Applicant¹ (Print)

Applicant Signature

4/28/16

Date

John Winkler

Property Owner (Print)

Property Owner Signature

4/28/16

Date

Official Use Only

Project File Name:

Marketplace Mixed Use - Planned Development

Permit Number:

Z00093-050316

20160275

Project Name/Number:

Date:

5-2-16

Fee:

\$ 500.00

Receipt Number:

439804

Method of Payment:

CK # 2856

Paid By:

Howard Street Venture

S:\FORMS\Forms_2015\ZoningPermitApplication_052015.doc

¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

Conditional District Map Amendment**Project Data Form**

Town of Boone Planning & Inspections Department
 680 W. King Street, Suite C • Boone, North Carolina 28607
 Phone (828) 268-6960 • Fax (828) 268-6961
www.townofboone.net

Official Use Only

Project Name/Number:

Permit Name/Number:

It is recommended that applicants schedule a meeting with Planning & Inspections Staff prior to application submittal.

A. ADDITIONAL APPLICATION INFORMATION

Application is For: ☒ Conditional District Map Amendment ☐ Conditional District Map Amendment Modification
 PDR

Hearing Date Requested¹: June, 2016

B. DEVELOPMENT INFORMATION

Project Name: Marketplace Mixed Use

Project Description: Mixed Use Building with approximately 18,285 SF of retail/commercial space, 159 bedrooms, and parking deck

Existing Zoning District(s): B-1 Proposed Zoning District(s): PDR B-1

Existing Land Use(s): Retail/Office/Restaurant Proposed Land Use(s)²: 1.16, 11.15, 11.14

Adjacent Land Use(s): N: King Street E: Commercial

W: Water Street S: Howard Street

Are there any existing variances granted to the property? ☐ Yes ☒ No ☐ Unknown

If yes, describe: N/A

Are any variances being requested with this project?³ ☐ Yes ☒ No

If yes, describe: N/A

Total Land Area: +/- 1.018 acres Total Disturbed Area: +/- 1.018 acres

Number of Proposed Phases: N/A

Describe Phasing (if proposed): N/A

If requesting vesting greater than 2 years (per UDO Section 4.14), list amount requested (up to 3 additional years). N/A

For modifications, list original case # and date granted: N/A

¹ Each applicant must provide the meeting date for which they wish their request to appear. Each completed application must have met published meeting deadlines.

² Please see UDO Article 15 for specific details on permissible uses

³ Each request for a Variance must be submitted on a separate Zoning Permit Application along with the appropriate fee.

C. DOCUMENTS REQUIRED FOR SUBMITTAL

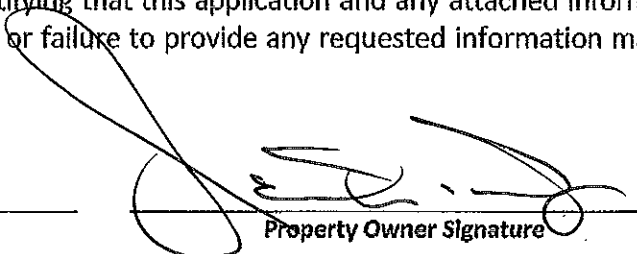
- ☒ Completed Application (see UDO Article 4 & Appendix A)
- ☒ Application Fee
- ☒ 7 complete sets of development site plans
- ☒ One (1) reduced copy of development site plans (11X17)
- ☒ Two (2) sets of copies of building elevations
- ☒ Digital copy of plans (if available)
- ☒ Deed(s) of all property included in the request
- ☒ A written metes & bounds legal description with accompanying survey map is required for a request that would rezone only a portion of a tax parcel or requests for multiple zoning districts

D. PROPERTY OWNER SIGNATURE:

By signing this form you are certifying that this application and any attached information are accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

John Winkler

Property Owner (Print)


 Property Owner Signature

4/28/19

Date

Official Use Only

Public Hearing Meeting Date: _____

PC Meeting Date: _____

TC Meeting Date: _____

Date of APO Mailed Notification: _____

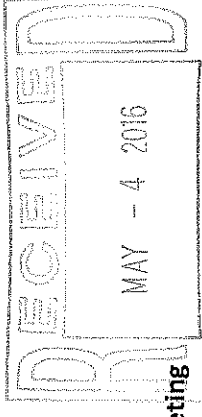
Date of Posted Notification: _____

Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____

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Howard Street Ventures Planned Development Neighborhood Meeting

Pursuant to the Town of Boone's Planned Development Ordinance, section 9.10.05, the Principals of a potential Planned Development located along Water Street between King and Howard Streets held a neighborhood meeting concerning said potential development. The meeting was held at the Watauga County Administrative Building on April 5, 2016 at 6:00 P.M. Notice was provided to all property owners located within 150 feet of the development site on March 11, 2016. In addition, the Boone Town Council called a Special Public Hearing, and provided notice thereof, in the event that a majority of Council should attend the meeting. Further, notice was provided to downtown business and property owners through the Downtown Boone Development Association.

The meeting was well attended and the developers circulated a sign-up sheet so that all attendees could provide their names and addresses, as required by the Ordinance. A copy of this sign-up sheet is attached to this report.

To begin the meeting, the petitioner presented to the attendees the names and contact information for the principals and representatives involved in the project, those individuals being: James M. Deal, Jr. and Tucker Deal, Attorneys from the Law Firm of Deal, Moseley & Smith, LLP; John Winkler, Kenneth Wilcox, and Roger Wright, property owners and developers; Jason Gaston, Engineer; Frank Amenya, Traffic Engineer; and Brent Davis, Architect.

The petitioner presented preliminary design plans and discussed the expected uses associated with the planned development. The petitioner also provided preliminary engineering and architectural plans illustrating the interior design scheme, reflecting the commercial, residential, and parking garage components of the planned development. In discussing these plans, the petitioner stated that the preliminary design plans showed a building that would be 46 feet tall on King St., and which would contain approximately 180 bedrooms (100 one BR units, 31 two BR units, and 3 three BR units) and approximately 333 parking spaces. The following items were also discussed:

1. There was a question from the public regarding whether the developer could anticipate how many parking spaces would be rented by the businesses located within the development. The developer responded that it would likely be cost-prohibitive for a business owner to rent spaces in the garage for their employees.
2. There was a discussion regarding whether undergraduate students would be the primary target of the development. The petitioner stated that the project would necessarily be appealing to undergraduate students and that they would likely make up a large percentage of the tenants. The petitioner also stated that proposed units were primarily one-bedroom and that in their experience this attracted quieter and older students.
3. There was a discussion regarding the traffic impacts the project would have on downtown in general and Water St. in particular. Concerns were raised regarding traffic backing up from the light at King and Water Streets. Petitioner stated that they are working with the same traffic engineers as the Town of Boone for the Howard St. redevelopment project. Frank Amenya stated that the project would necessarily increase traffic downtown, but that there were ways that impact would be mitigated, such as adjusting timing on lights and the proximity to downtown amenities and the university.
4. There was a discussion regarding the Town of Boone's plan for Water St., as incorporated in the West Downtown plan. This discussion was largely among members of the audience: Sam

Furguele, Eric Woolridge, and John Ward. The principal concern expressed by Mr. Furguele seemed to be related to the West Downtown Plan's calling for converting Water St. into a two-lane street and how this project might impact or blend with that plan. Mr. Woolridge stated that the West Downtown plan was conceptual in nature. Mr. Ward stated that the Town would likely be blending to the greatest extent possible the Howard St. redevelopment plan and the West Downtown plan, and coordinating with the potential planned development plans.

5. There was a discussion regarding the Town's 2030 plan and its recommendations for height on King St. and Howard St.
6. A member of the public asked how the property is currently zoned (B1) and what is the B1 height allowance (40 feet). The individual asked if there were any buildings downtown with a height comparable to that proposed for the development. The petitioner stated that they believed the County Administration building to be approximately 51 feet tall and the County Courthouse to be approximately 49 feet tall.
7. There was further discussion related to parking within the development. Specifically, whether the petitioner would allow all spaces to be rented monthly. The petitioner stated that they had retained McLaurin Parking to set parking policies, but that it was in their interest to turn over parking spaces as often as possible. The petitioner stated that they would be amenable to ensuring a certain number of hourly spaces.
8. A member of the public asked if any units would be listed for sale, or if the units would be lease only. The petitioner responded that the units would be for lease only.
9. A member of the public expressed concern over the scope and scale of the proposed development, stating that he felt it would not be in keeping with the character or feel of downtown.
10. There was a discussion regarding the exterior materials of the building. Eric Plaag, a member of the Historic Preservation Committee, did not believe that the proposed materials would be consistent with the historic context of downtown Boone. He also expressed concerns with the size and scale of the project. The petitioner stated that many of the materials and facade elements they were utilizing in their proposal were mandated by the Town's UDO. The petitioner indicated that they would be willing to work with the Town and the appropriate committee to improve the exterior appearance of the building.
11. A discussion was had regarding the streetscape surrounding the building and how it should match the newer/redeveloped streetscapes in downtown Boone, incorporating brick pavers, trees, and benches.
12. There was a discussion between the project's Engineer, Jason Gaston, and members of the public regarding what would be an appropriate development for this site. Lower height was suggested.
13. A member of the public stated that she was not sure height was the biggest issue, but that the biggest problem with "these developments" is that they look scary – she suggested a visual break-up of the building. The Petitioner stated that they would look into the possibility, but that the incorporation of a parking deck in this development would make such a design tricky.
14. A downtown business owner expressed support for the project based on her concern regarding the currently inadequate parking for downtown businesses.
15. The owner of Mellow Mushroom (across Water St. from the proposed project) stated that he recognized the point of projects needing to fit in with downtown Boone, but that he was unsure

of what does fit in with downtown Boone's "style," as it seems to be a hodgepodge of different styles. He also stated that the need for downtown parking is a massive issue for his business and that the number one complaint he hears is that people don't come downtown because there's no parking.

16. Another downtown Boone business owner spoke in support of providing more long-term parking that would allow visitors more time to shop and eat.
17. There was a discussion regarding marketing towards students, and whether the project might market towards individuals age 55 and up.

The primary concerns voiced by the attendees at the meeting were:

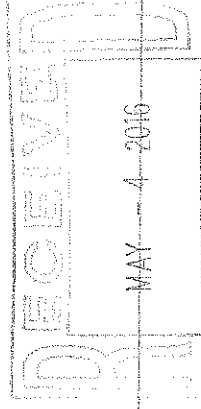
1. The height and the scale of the building.
2. The exterior design/materials and conformity with the style of downtown Boone.
3. Concern over traffic impact.
4. How the project will fit with other Town Plans and redevelopment in this area (Howard St., West Downtown, etc.).
5. An overall lack of parking for downtown visitors and the project's potential to mitigate this problem.

The meeting began at approximately 6:05 PM and ended at 8:05 PM. This concludes the report from the Neighborhood Meeting for the proposed Market Place Mixed-Use Development.

This Report was prepared by J. Tucker Deal pursuant to the Town of Boone UDO Planned Development Ordinance, section 9.10.05



J. Tucker Deal



Name Address

Isse Wood	303 Spice Creek Rd, Boone, Fk, NC 28604
Sam Ferguson	169 Gregg St Boone NC
Eric PARR	703 JASTROWSKA RD., BOONE NC
Harold T. Hing	768 West King St
Gregory Marshall	169 Gregg St Boone NC
Janette Carson	218 VFW Drive, Boone, NC
Peter Williamson	375 Old 421 S, Boone, NC
Terry Williamsen	" " " "
Greg Simmons	310 Delmar St, Boone, NC
Eric Wierwille	545 OAK ST.
Josh Teague	827 W. King St. Boone, NC 28607
John WARD	267 W. King St. Boone NC 28607
David Walker	164 S. Depot St Boone NC 28607
Laney Ruckstuhl	309 Woodley Ridge Rd. Vilas
David Welsh	240 Grand Blvd Boone
DAVID PARRS	161 C Howard St Boone
Anna Roseman	641 W King St Boone
Valerie Midgett	212 N. Water St. Boone
Mechelle Trivette	784 W. King St Boone
Lynn Hallowell	784 W King St Boone
Rennie Brant 2	575 Grand Blvd
PILAR FORTA	604 W. KING STREET
Virginia Falka	TOWN OF BOONE
JOE Furman	" "
Jeanine Underdahl Collins	Watauga County
Joanne Schum	Town of Boone - Boone NC
Olga ESTERSON	970 Rivers St. Boone
Sam Ratchford	970 RIVERS St. Boone
Steve McLaurin	831 W. King St. Boone. McLaurin Parking Company Haley, NC

**DEAL, MOSELEY & SMITH, LLP
ATTORNEYS AND COUNSELLORS AT LAW**

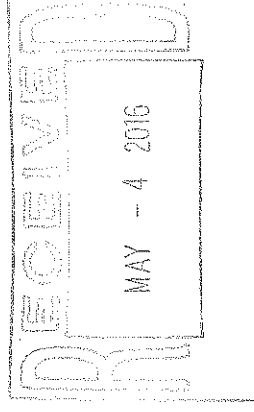
870 WEST KING STREET, SUITE B
BOONE, NORTH CAROLINA 28607
Telephone (828) 264-4734

James M. Deal, Jr.
Allen C. Moseley
Claude D. Smith, Jr. *
C. Philip Ginn
Bryan P. Martin
J. Tucker Deal

Mailing Address:
Post Office Box 311
Boone, North Carolina 28607
Facsimile (828) 264-2712

* Also Licensed in Georgia
Certified Mediator

March 11, 2016



Dear Property Owner,

The purpose of this letter is to provide notice of a neighborhood meeting concerning a potential Planned Development for the Marketplace Building located on Water St., between King and Howard Streets. The meeting is scheduled for Tuesday, April 5th at 6:00 pm and will be held in the Watauga County Administration Building, located at 814 W. King St. Boone, NC, in the Commissioner's Meeting Room. Notice of this meeting is being provided to the owners of property located within 150 feet of the proposed Development in accordance with the Town of Boone Planned Development Ordinance.

At the meeting, the proponent of the potential Planned Development will, at a minimum, present the following information:

1. Contact information of the parties involved in the ownership, design, and development of the property;
2. The location of the property and general information on the current conditions of the site;
3. Proposed use(s) and site development;
4. Any preliminary plans or renderings, if available; and
5. Any other information deemed pertinent by the Director of Planning & Inspections for the Town of Boone.

Very truly yours,

DEAL, MOSELEY & SMITH, LLP

James M. Deal, Jr.

The Marketplace Mixed Use: Deviation Analysis in Accordance with UDO 9.10.05(B)(1)

1. Deviation from UDO 16.08.02 height of 40' (for B-1 Zoning) on Water Street to 42'-4" and on Howard to 50'-4" (2'-4" and 10'-4").
2. Deviation from UDO 26.07.03 Sign SF maximum of 48 SF (based on tenant SF) to allow all tenants, regardless of SF, to have an allowable maximum of 48 SF to promote uniformity on the proposed sign band
3. Deviation from UDO 15.11.04(A) per the following:

STREET LEVEL COMMERCIAL USES		
MIN. KING ST. LEVEL COMMERCIAL LAND USE OF AT LEAST 50%:	18,168	sf
KING ST. PROPOSED:	9,376	sf
KING ST. PROPOSED (%):	25.8%	
MIN. WATER ST. LEVEL COMMERCIAL LAND USE OF AT LEAST 30%:	10,901	sf
WATER ST. PROPOSED:	3,558	sf
WATER ST. PROPOSED (%):	9.8%	
MIN. HOWARD ST. LEVEL COMMERCIAL LAND USE OF AT LEAST 30%:	10,901	sf
HOWARD ST. PROPOSED:	4,904	sf
HOWARD ST. PROPOSED (%):	13.5%	

4. Deviation from UDO 24.01.03 maximum allowable parking of 315 spaces to +/- 367 spaces (+52 spaces)
5. Deviation from UDO 24.08.03 C from 3 required off-street loading spaces to 0 off-street loading spaces.
6. Deviation from UDO 24.02.02 per the following:

MULTIFAMILY ALLOWABLE COMPACT SPACES (MAX. 50%):	79 SPACES
OTHER USES ALLOWABLE COMPACT SPACES (MAX. 30%):	62 SPACES
TOTAL NUMBER OF ALLOWABLE COMPACT SPACES:	141 SPACES
TOTAL NUMBER OF ALLOWABLE COMPACT SPACES (%):	38.4%
PROVIDED NUMBER OF COMPACT SPACES:	222 SPACES
PROVIDED NUMBER OF COMPACT SPACES (%):	60.5%

(+81 compact spaces, or an additional 22.1%)

7. Deviation from UDO 24.03.16(A) from 10' to 6' (4' deviation)

Date Received
May 27, 2016



TRANSPORTATION IMPACT ANALYSIS

Prepared for John Winkler

Project Number: 160023

Original: 03/30/2016

Revised: 05/27/2016

Marketplace Development

Boone, NC

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)





Transportation Impact Analysis

Marketplace Development Boone, NC

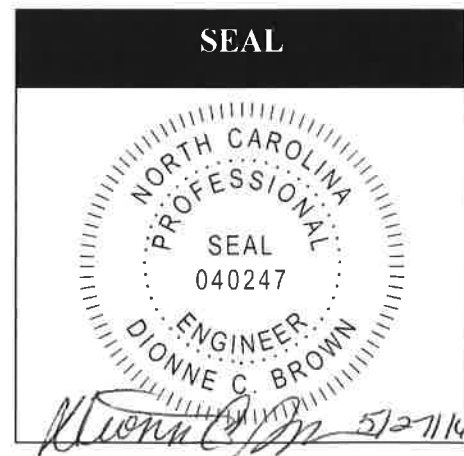
Prepared for John Winkler
Original: March 30, 2016
Revised: May 27, 2016

Analysis by: Dionne C. Brown, P.E.

Drafting/Graphics by: Dionne C. Brown, P.E.

Reviewed by: Frank Amenya, P.E., PTOE

Sealed by: Dionne C. Brown, P.E.



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Home Office:
305 West Fourth Street, Suite 2A
Winston-Salem, NC 27101
Main: 336.744.1636; Fax: 336.458.9377

Serving the Southeast since 2002



Marketplace Development – Transportation Impact Analysis

Boone, NC

Prepared for John Winkler

Original: March 30, 2016

Revised: May 27, 2016

Executive Summary

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- West King Street at Water Street
- Water Street at Howard Street
- Water Street at Rivers Street/ Poplar Grove Road
- Water Street at Proposed Site Access 1
- Howard Street at Proposed Site Access 2

The above-mentioned intersections were analyzed for the following scenarios:

- 2016 Existing Conditions
- 2018 Future No Build Conditions
- 2018 Future Build-Out Conditions
- 2018 Future Build-Out with Improvements (as necessary)

The build-out analysis year for this project was assumed to be 2018. The AM (7-9 am) and PM (4-6 pm) peaks were studied.

Information regarding the property was provided by Brent Davis Architecture, Inc.



Level of Service Results

The results of the study are discussed by intersection below:

Water Street at West King Street

This signalized intersection of Water Street at West King Street currently operates at LOS A in the AM peak and LOS C in the PM peak. The simulation show sporadic queuing on the northbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. In 2018 future no build conditions, the analysis indicates LOS C in the AM and PM peaks. With the addition of site traffic, this intersection is projected to operate at LOS B in the AM peak and LOS C in the PM peak. No improvements are recommended.

Water Street at Howard Street

This unsignalized intersection currently operates at LOS A in the AM peak and LOS B in the PM peak. In 2018 future no build conditions, LOS B is expected in the AM and PM peaks. Additionally, sporadic queues were observed on the westbound approach of Howard Street, particularly during the PM peak. This is mainly due to lack of sufficient gaps from the minor street, which is due to heavy traffic volumes and queues on Water Street. This is a background condition which exists regardless of the proposed development. With the addition of proposed site traffic, LOS A is expected in the AM peak and LOS B in the PM peak. No improvements are recommended.

Water Street at Rivers Street/ Poplar Grove Road

This unsignalized intersection currently operates at LOS B in the AM peak and LOS C in the PM peak. In 2018 future no build conditions, LOS C is expected in the AM peak and LOS E in the PM peak. The simulation show sporadic queuing on the southbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. LOS E is typical at a stop controlled intersection for minor street movements onto a major street. With the addition of site traffic, LOS B is expected in the AM peak and LOS E in the PM peak. The intersection is currently under consideration by NCDOT for modifications to a roundabout. The roundabout concept is not currently funded and has not been studied. However, it is expected that if the roundabout is implemented at this intersection, the level of service can be reduced to a LOS C or better.

Water Street at Proposed Site Access 1

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a three (3) level parking deck only accessible from Water Street. Close driveway spacing such as this is typical for a downtown central business district and dense urban settings. It is recommended to restripe the northbound lane to provide one through lane and one right turn lane into the parking garage. Also to restripe the southbound lane to provide one through lane and one through-left turn lane into the parking garage.



Howard Street at Proposed Site Access 2

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a two (2) level below ground parking deck only accessible from Howard Street. No improvements are recommended.

Level of Service Summary

Table A presents the summary of the level of service analysis.

Table A - Level of Service Summary				
AM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	A (9.3)	B (11.1)	B (12.1)	
Water Street at Howard Street	A (8.9) WB Approach	A (9.2) WB Approach	A (9.8) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	B (11.0) SB Approach	B (11.7) SB Approach	B (12.4) SB Approach	
Water Street at Proposed Site Access 1			B (10.0) WB Approach	B (10.2) WB Approach
Howard Street at Proposed Site Access 2			A (8.5) SB Approach	
PM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	C (21.2)	C (23.6)	C (24.2)	
Water Street at Howard Street	B (11.2) WB Approach	B (12.0) WB Approach	B (12.7) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	C (22.2) SB Approach	E (35.4) SB Approach	E (44.3) SB Approach	
Water Street at Proposed Site Access 1			B (13.5) WB Approach	B (14.1) WB Approach
Poplar Grove Road at Proposed Site Access 2			A (8.8) SB Approach	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				



Pedestrian and Bicycle Accommodations

As part of the development of this site, the developer plans to construct the following pedestrian and bicycle accommodations:

- Sidewalks are currently provided along Water Street and King Street bordering the frontage of the property.
- Sharrows should be striped along the frontage of Water Street to accommodate bicyclist.
- Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles.
- In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.

Transit Accommodations

AppalCart provides transit service in the Town of Boone. *AppalCart* currently runs routes (Gold, Pop 105 and Express routes) which provides service in the proximity of the site. There is an existing *AppalCart* stop on King Street and Water Street, which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.

Summary and Conclusion

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

The trip generation indicates that based on the current site plan the proposed project is projected to generate a net total of 1,379 trips per day. This is based on 99-bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The analysis indicates that all study intersections will operate at LOS E or better in the future build conditions. The intersection of Water Street at Rivers Street/ Poplar Grove Road experiences a LOS E in the PM peak, which is typical for a minor street movement onto a major street. As mentioned, NCDOT is considering an intersection conversion to a roundabout at this intersection.



Table B summarizes the recommended improvements for the 2018 future build scenario. Improvements are shown in Figure 9 in the report.

In conclusion, this analysis has been conducted based on NCDOT and Town of Boone guidelines and has determined the potential traffic impacts of this development. With the build-out of the site, the analysis indicates there will be adequate capacity to accommodate future traffic. Note that the site accesses should to be designed according to NCDOT standards as appropriate.

Table B - Recommended Improvement Summary	
Water Street at West King Street	No improvements recommended
Water Street at Howard Street	No improvements recommended
Water Street at Rivers Street/ Poplar Grove Road	NCDOT considering intersection modification to a roundabout
Water Street at Proposed Site Access 1	Restripe the lanes to reflect one northbound through lane and one right turn lane; one southbound through lane and one through-left turn lane
Howard Street at Proposed Site Access 2	No improvements recommended
Water Street at Existing Driveway	No improvements recommended
Pedestrian and Bicycle Accommodations	• Sidewalks are currently provided along Water Street, Howard Street and King Street bordering the frontage of the property. • Sharrows should be striped along the frontage of Water Street to accommodate bicyclist. • Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles. • In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.
Transit Accommodations	• There is an existing <i>Appa/Car</i> stop on Water Street at West King Street which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.



Marketplace Development – Transportation Impact Analysis

Boone, NC

Prepared for John Winkler

Original: March 30, 2016

Revised: May 27, 2016

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Marketplace Development – Transportation Impact Analysis

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1.0 Introduction

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area. Figure 1 presents the site plan.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- West King Street at Water Street
- Water Street at Howard Street
- Water Street at Rivers Street/ Poplar Grove Road
- Water Street at Proposed Site Access 1
- Howard Street at Proposed Site Access 2

The above-mentioned intersections were analyzed for the following scenarios:

- 2016 Existing Conditions
- 2018 Future No Build Conditions
- 2018 Future Build-Out Conditions
- 2018 Future Build-Out with Improvements (as necessary)

The build-out analysis year for this project was assumed to be 2018. The AM (7-9 am) and PM (4-6 pm) peaks were studied.

Information regarding the property was provided by Brent Davis Architecture, Inc.

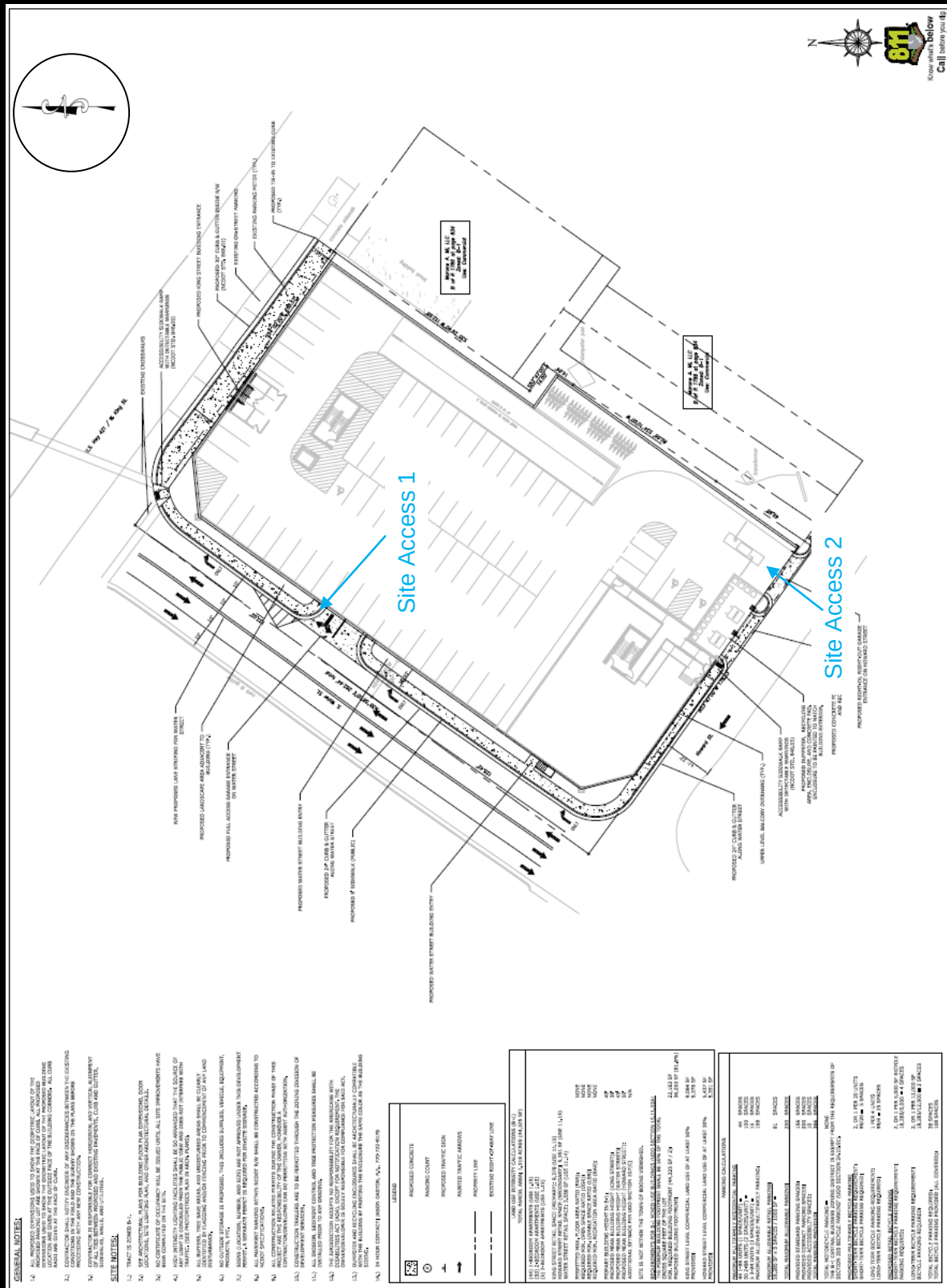


FIGURE 1
SITE PLAN



FIGURE 2A
SITE LOCATION MAP



SITE INDICATOR





FIGURE 2B
VICINITY MAP

EXISTING INTERSECTION
PROPOSED INTERSECTION





2.0 Existing Conditions

2.1 Inventory

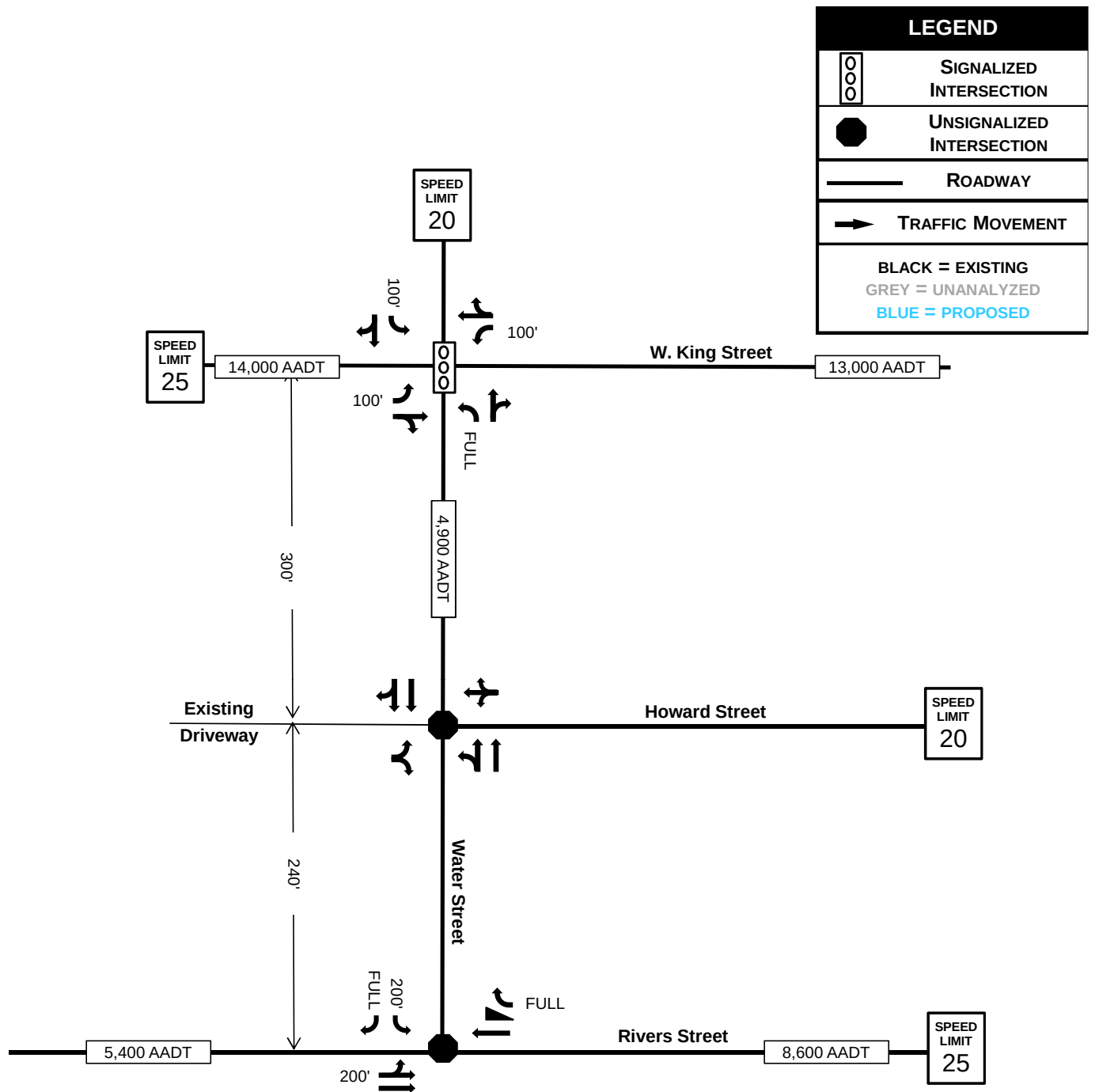
A field investigation was conducted by DAVENPORT staff to determine the existing roadway conditions in the study area. Table 2.1 presents a summary of this review. Figure 3 illustrates the existing lane geometry.

Table 2.1 - Street Inventory					
Facility Name	Route #	Typical Cross Section	Pavement Width	Speed Limit	Maintained By
West King Street	US 421	2-lane undivided	Approx. 48'	25 MPH	NCDOT
Howard Street	N/A	1-2 lane undivided	Approx. 22'	20 MPH	Town of Boone
Rivers Street/Poplar Grove Road	SR 1163	2-4 lane undivided	Approx. 48'	25 MPH	NCDOT
Water Street	SR 1102	4-lane undivided	Approx. 48'	20 MPH	Town of Boone

2.2 Existing Traffic Volumes

Existing traffic volumes for this project were collected by DAVENPORT staff. Table 2.2 below contains the dates these counts were conducted. Appalachian State University (ASU) and Watauga County Schools were in session at the time of traffic counts. Traffic volumes were balanced along study intersections. Figure 4 shows existing AM and PM peak hour volumes. The full reports for these volumes can be found in the appendix.

Table 2.2 - Traffic Volume Data		
<u>Count Location:</u>	<u>Date Taken:</u>	<u>By:</u>
West King Street at Water Street	3/15/16	DAVENPORT
Howard Street at Water Street	3/15/16	DAVENPORT
Rivers Street at Water Street	3/15/16	DAVENPORT



**FIGURE 3
EXISTING LANE
GEOMETRY**

MARKETPLACE DEVELOPMENT
BOONE, NC

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LEGEND



**SIGNALIZED
INTERSECTION**



**UNSIGNALIZED
INTERSECTION**



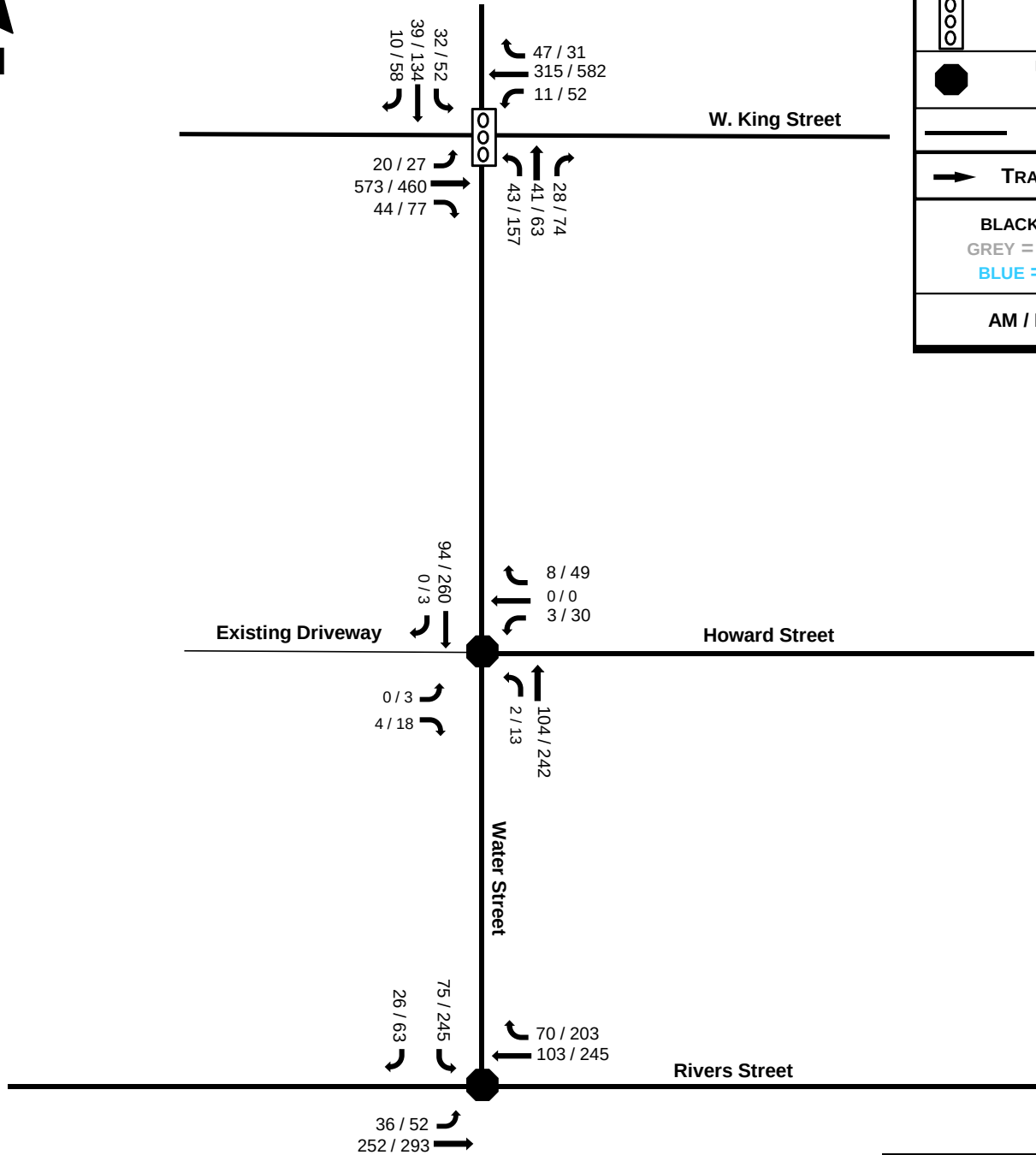
ROADWAY



TRAFFIC MOVEMENT

**BLACK = EXISTING
GREY = UNANALYZED
BLUE = PROPOSED**

AM / PM PEAKS



**FIGURE 4
EXISTING TRAFFIC
VOLUMES**

**MARKETPLACE DEVELOPMENT
BOONE, NC**

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3.0 Approved Developments and Committed Improvements

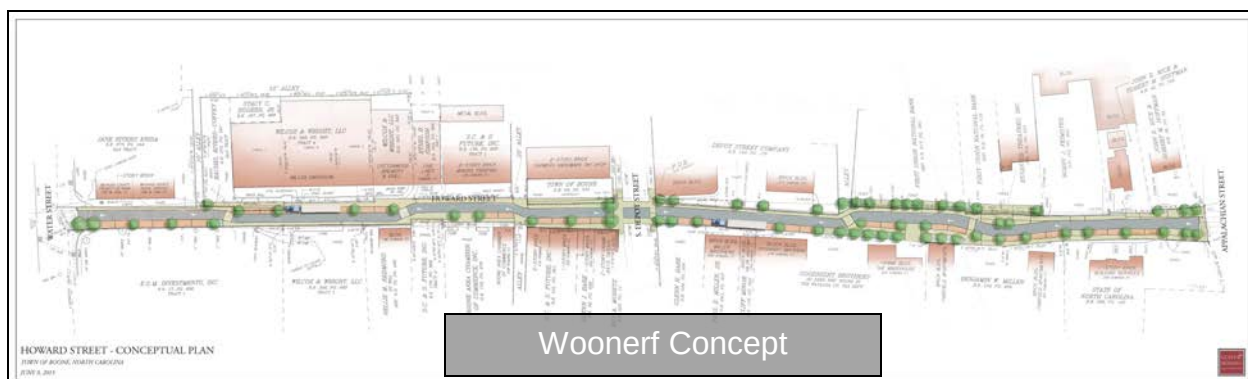
3.1 Approved Developments

Approved developments are developments that have been recently approved in the area, but not yet constructed. Per NCDOT staff, there is one approved developments to be considered in this analysis. The River Walk Development was conducted by DAVENPORT in February 2016. This approved development is located in the northwest quadrant of Water Street and Poplar Grove Road/ Rivers Street. It is to consist of 380 bedroom apartments and 10,270 square feet of retail.

More information can be found in the appendix.

3.2 Committed Improvements

Committed Improvements are improvements that are planned by NCDOT, a local municipality, or a developer in the area, but not yet constructed. Per NCDOT, there is one committed development in the study area, Howard Street Study. The Howard Street Study consist of two blocks to be designed to include a one way street Woonerf (or shared space), which provides equal considerations to pedestrians, cyclists and vehicles.



4.0 Methodology

4.1 Base Assumptions and Standards

In general, the analysis for this project was conducted utilizing commonly accepted NCDOT standards. The following table contains a summary of the base assumptions:

Table 4.1 - Assumptions	
Peak Hour Factor	0.90
Background Traffic Annual Growth Rate	2.0% per year for all roadways
Base Signal Timing/Phasing	Provided by NCDOT
Analysis Software	Synchro/SimTraffic Version 9.0
Lane widths	12-feet
Truck percentages	2%



4.2 Trip Generation

As currently planned, this development will include 99-bedrooms of a mix of young professional and student apartment housing, 8,500 square feet of retail space and 9,380 square feet of restaurant area. TripGen 2013 software, based on the 9th Edition of ITE Trip Generation Manual, was used to develop the projected trips created by this development. Table 4.2 contains the results.

Table 4.2 - ITE Trip Generation									
Marketplace Development, Boone NC									
Average Weekday Driveway Volumes					24 Hour	AM Peak Hour		PM Peak Hour	
					Two-Way				
Land Use	ITE Land Code	Size		Data Source	Volume	Enter	Exit	Enter	Exit
Apartments	220	99	Persons	Equations	279	18	18	20	20
Retail	820	8.5	Th.Sq.Ft GLA	Equations	1,368	22	13	55	60
Restaurant	932	9.38	Th.Sq.Ft GLA	Rate	1,193	66	59	93	80
Total Unadjusted Trips					2,840	106	90	168	160
Internal Capture Overall %					7.0%	N/A		10.2%	
Apartments					-99	0	0	-6	-11
Retail					-99	0	0	-11	-6
Total Internal Trips Reduction					-198	0	0	-17	-17
Apartments					180	18	18	14	9
Retail					1,315	22	13	51	58
Restaurant					1,147	66	59	87	76
Total of External Trips					2,643	106	90	151	143
Retail Pass-by Reduction		0% AM / 34% PM			-224	0	0	-17	-20
Restaurant Pass-by Reduction		0% AM / 43% PM			-247	0	0	-37	-33
Pedestrian/Transit Reduction		30%			-793	-32	-27	-45	-43
Total Adjusted Trips					1,379	74	63	52	47

Mixed-use developments of this type are designed to combine a number of uses into one site, allowing people to live, work and shop in the same area and without dependence on a vehicle. This proposed development meets the criteria as defined in the ITE Trip Generation Handbook for a “multi-use” development. Therefore, the trips for this development were reduced using the method described in Chapter 7 of the ITE Handbook. A reduction of 7.0% was applied to daily and 10.2% to the PM peak hour trips for residential and retail land uses. The worksheets for the internal capture are shown in the supporting documentation of the Appendix.

Developments of this type also generate what are called “pass-by” trips. The ITE Trip Generation Manual defines “pass-by” trips as trips that are generated by the



development, but are already on the adjacent roadway. These trips are not new trips, but are a part of the existing background traffic on Howard Street and Water Street. A “pass-by” reduction of 34% was applied to retail trips in the PM peak hour and 43% to restaurant trips in the PM peak hour.

Further consideration was given to the context of the site and surrounding area to account for the potential of non-vehicle trips. This site is located in close proximity to the Appalachian State University (ASU) campus and Downtown Boone. Many residents in the student-oriented apartments are likely to walk or bike to access the university or destinations in Downtown. In addition, an *AppalCart* (transit) stop is located near the site. *AppalCart* provides direct transit service in the Town on Boone. Based on this, we have applied a 30% reduction to daily trips to account for the use of alternative modes of transportation.

4.3 Trip Distribution

Residential site trips for this proposed development were distributed based on the existing traffic patterns and engineering judgment. The directional distributions for the residential site trips are as follows:

- 30% to and from the east on Rivers Street
- 25% to and from the east on Howard Street
- 20% to and from the east on West King Street
- 15% to and from the west on Poplar Grove Road
- 10% to and from the west on West King Street

Retail site trips for this proposed development were distributed based on the existing traffic patterns and engineering judgment. The directional distributions for the retail site trips are as follows:

- 25% to and from the east on Howard Street
- 25% to and from the east on West King Street
- 20% to and from the east on Poplar Grove Road
- 15% to and from the west on Poplar Grove Road
- 10% to and from the west on West King Street
- 5% to and from the north on Water Street

The residential and retail trip distributions are shown in Figure 5A and 5B, respectively. 55% of pass-by trips were assumed to originate from the north on Water Street and 45% from the south on Water Street. The pass-by trip distribution for this development is illustrated in Figure 5C.



4.4 Future No Build Traffic

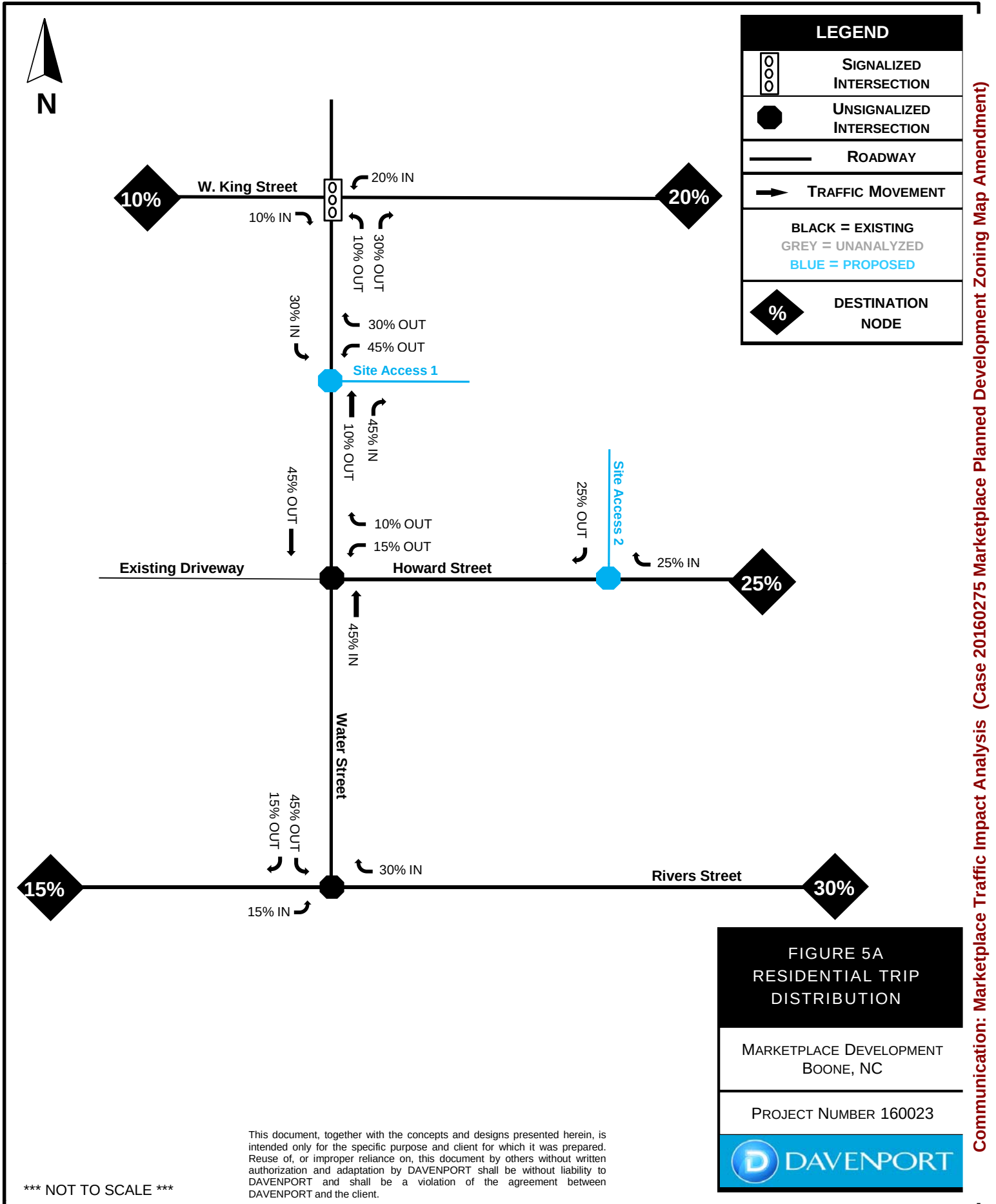
The 2018 future no build traffic volumes were computed by applying a 2.0% compounded annual growth rate to the 2016 existing traffic volumes. Figure 6 shows the 2018 future no build traffic volumes for AM and PM peaks.

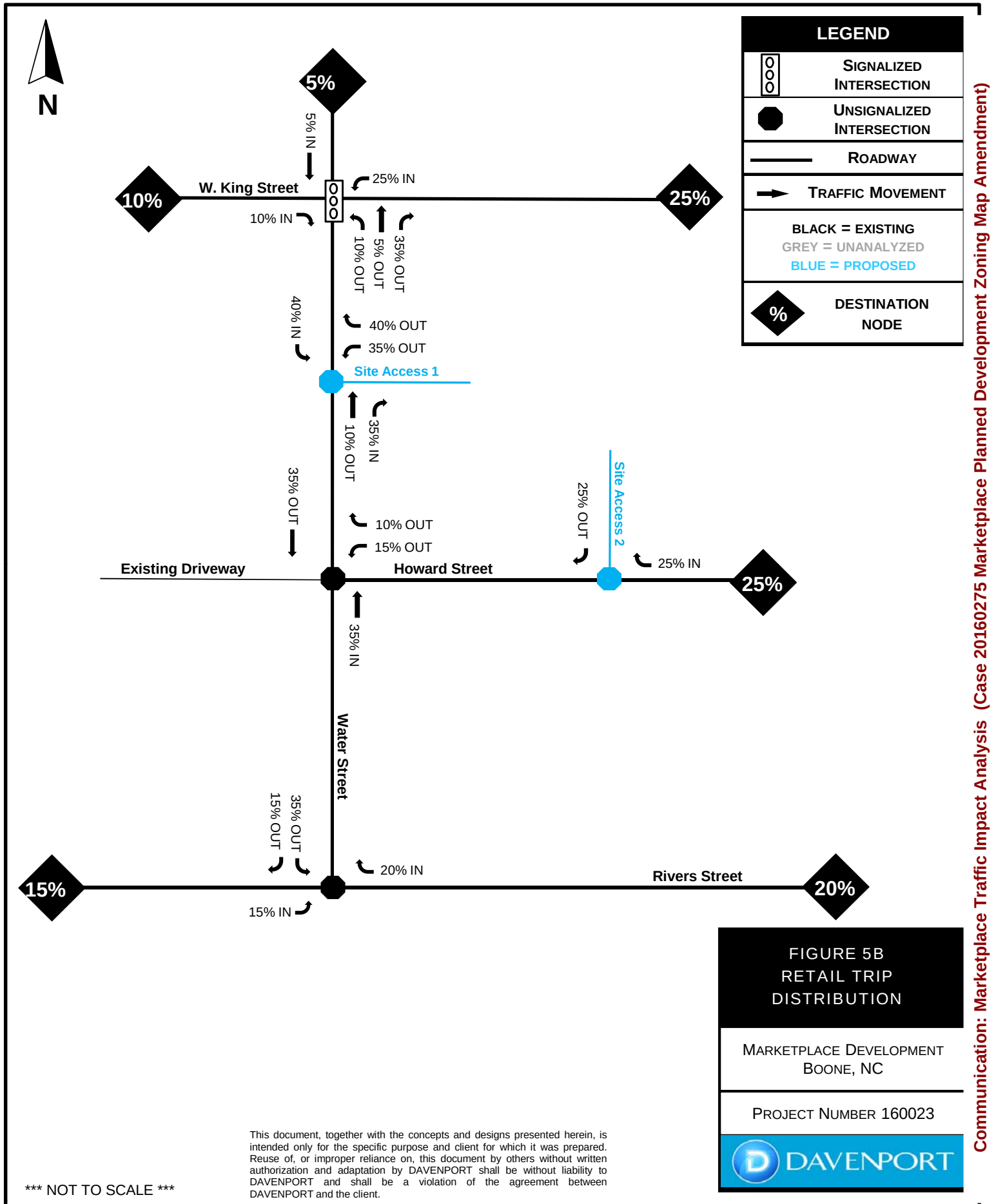
4.5 Total Traffic

The 2018 build-out traffic volumes were obtained by summing 2018 future no build volumes and residential, retail and pass-by site trips due to the proposed project. Site trips are shown in Figure 7A, 7B and 7C, respectively. The resulting build volume totals for AM and PM peaks are shown in Figure 8. More information can be found in the Traffic Volume Data section of the appendix.



West King Street at Water Street facing north





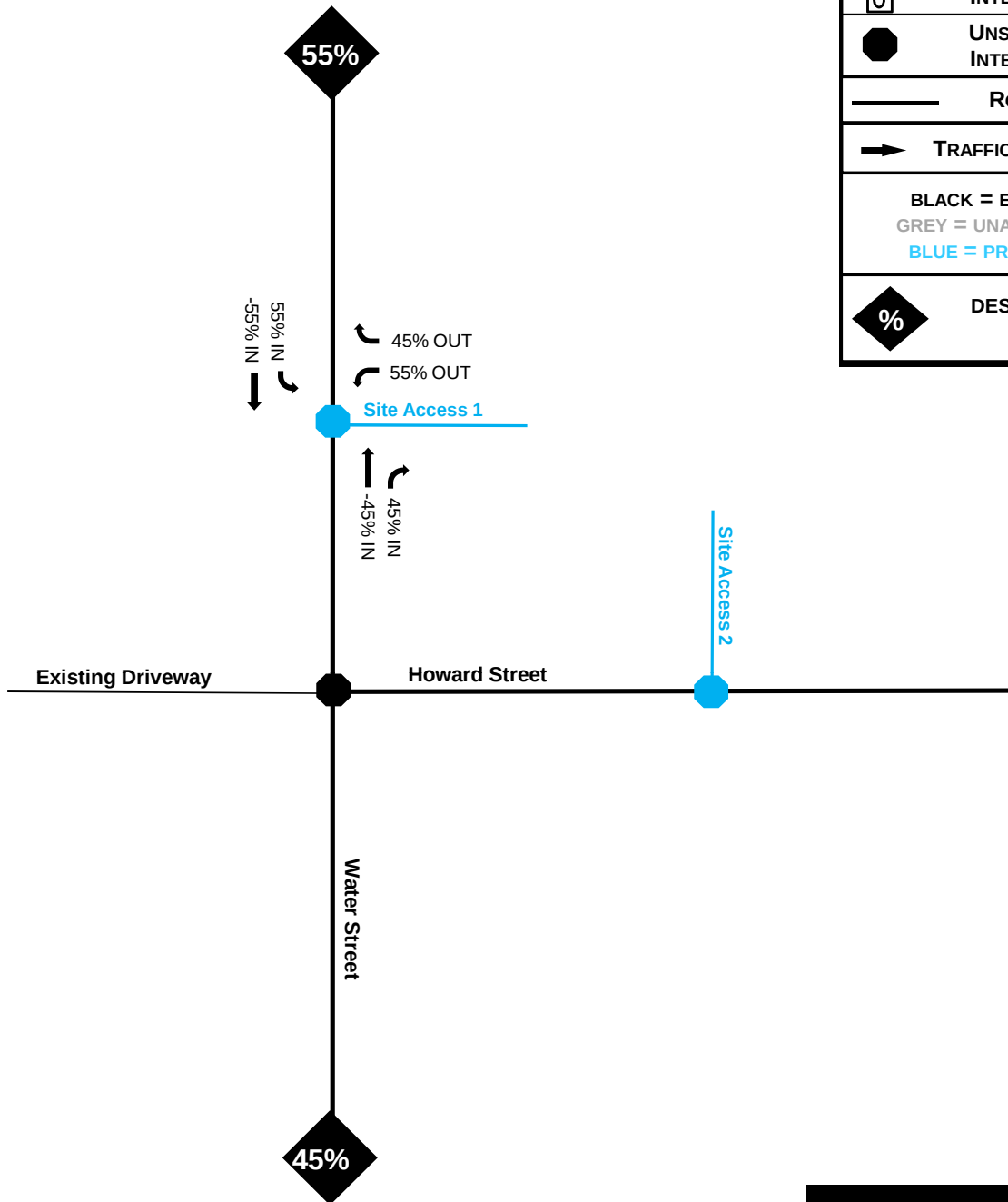


FIGURE 5C
PASS-BY TRIP
DISTRIBUTION

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BOONE, NC

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LEGEND



**SIGNALIZED
INTERSECTION**



**UNSIGNALIZED
INTERSECTION**



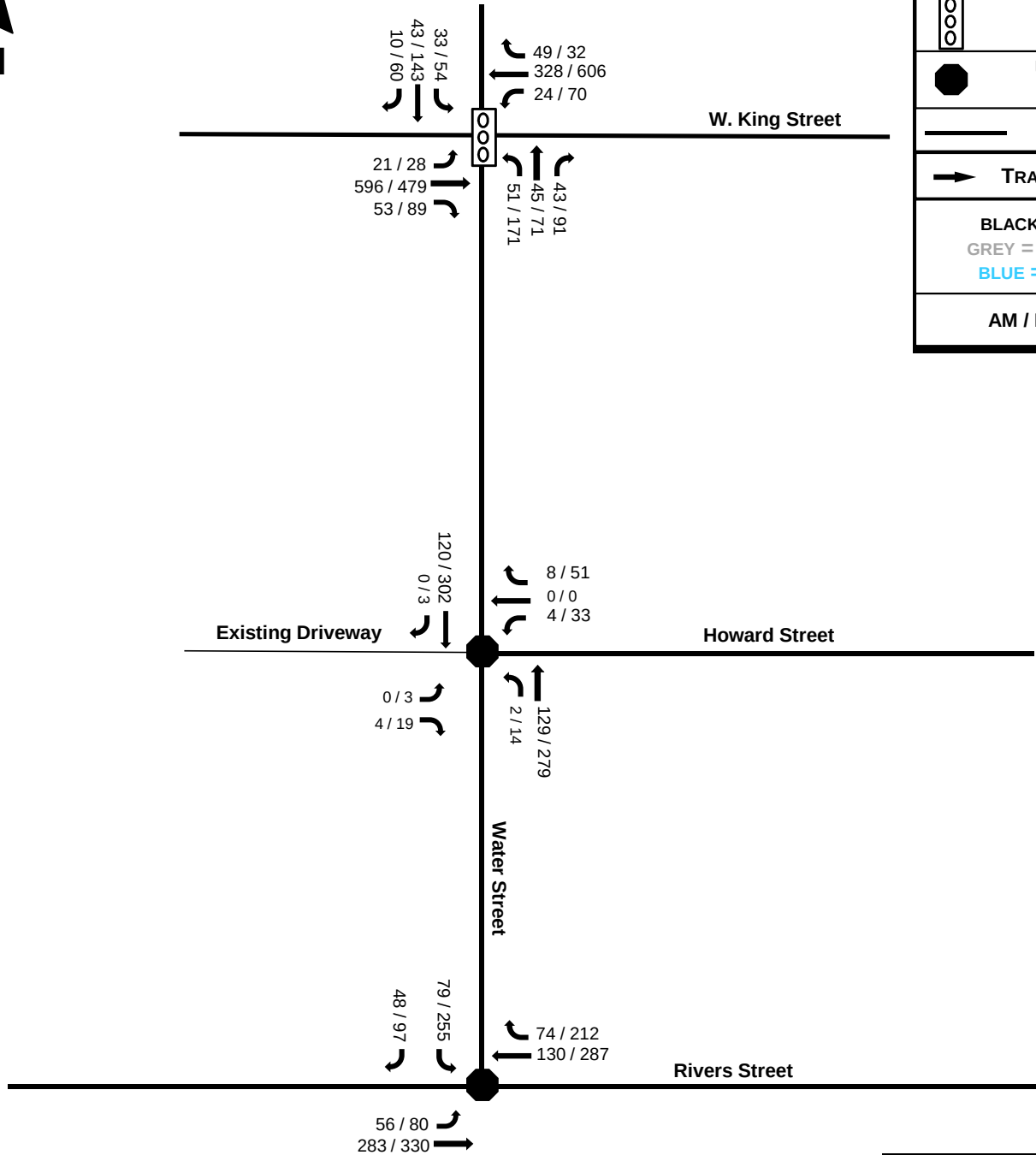
ROADWAY



TRAFFIC MOVEMENT

**BLACK = EXISTING
GREY = UNANALYZED
BLUE = PROPOSED**

AM / PM PEAKS



**FIGURE 6
2018 FUTURE NO
BUILD VOLUMES**

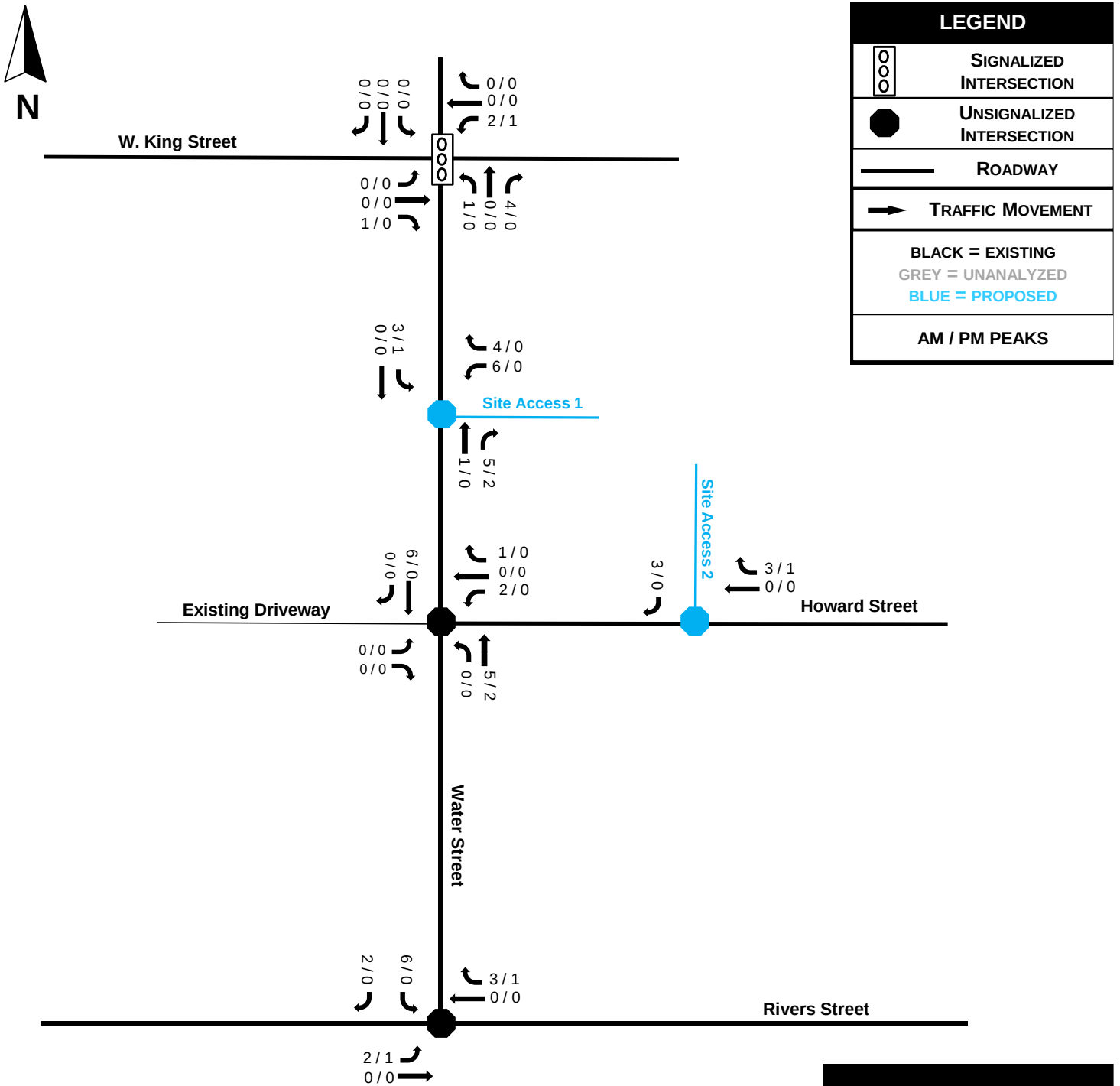
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**FIGURE 7A
RESIDENTIAL SITE
TRIPS**

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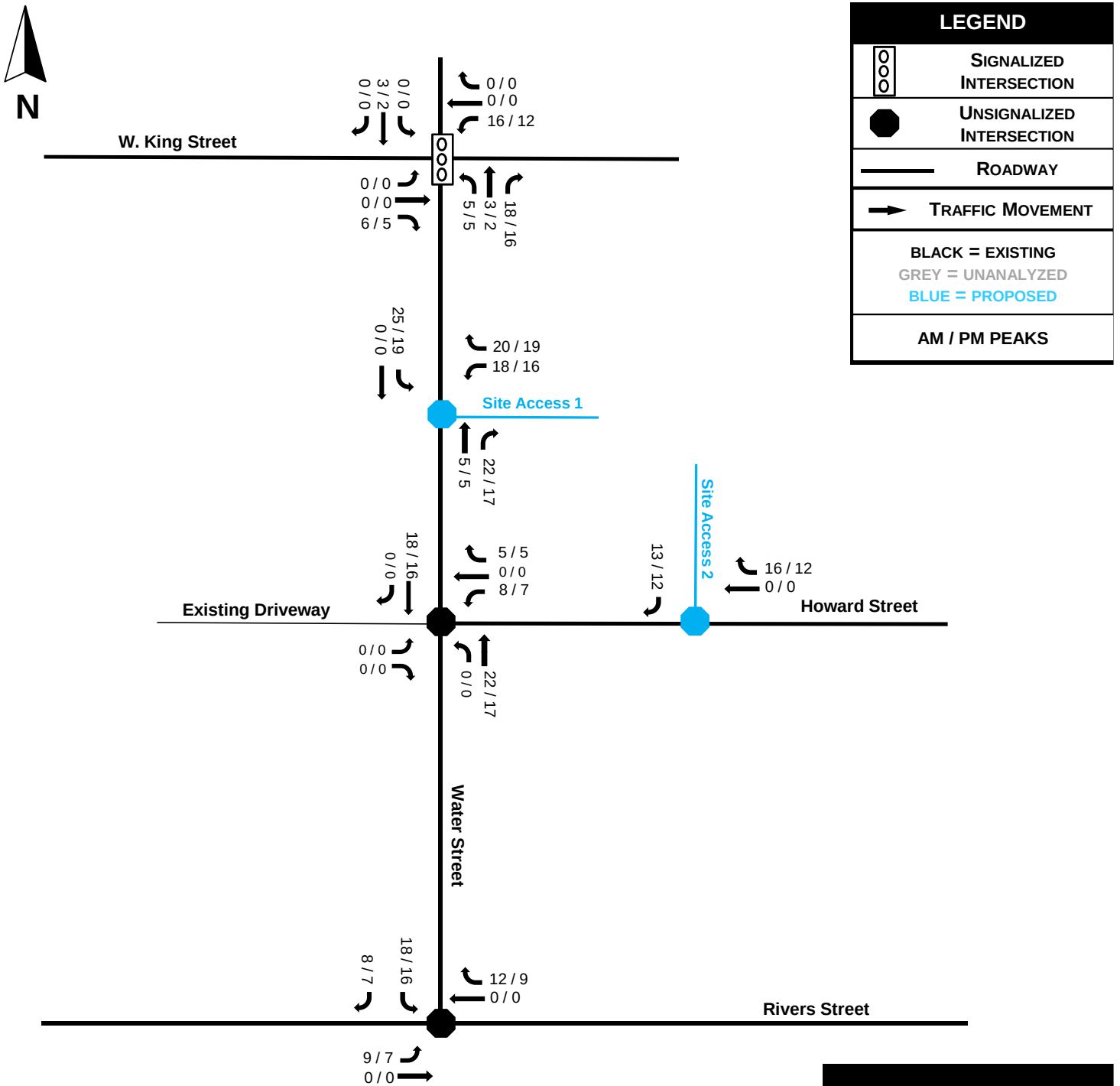


FIGURE 7B
RETAIL SITE TRIPS

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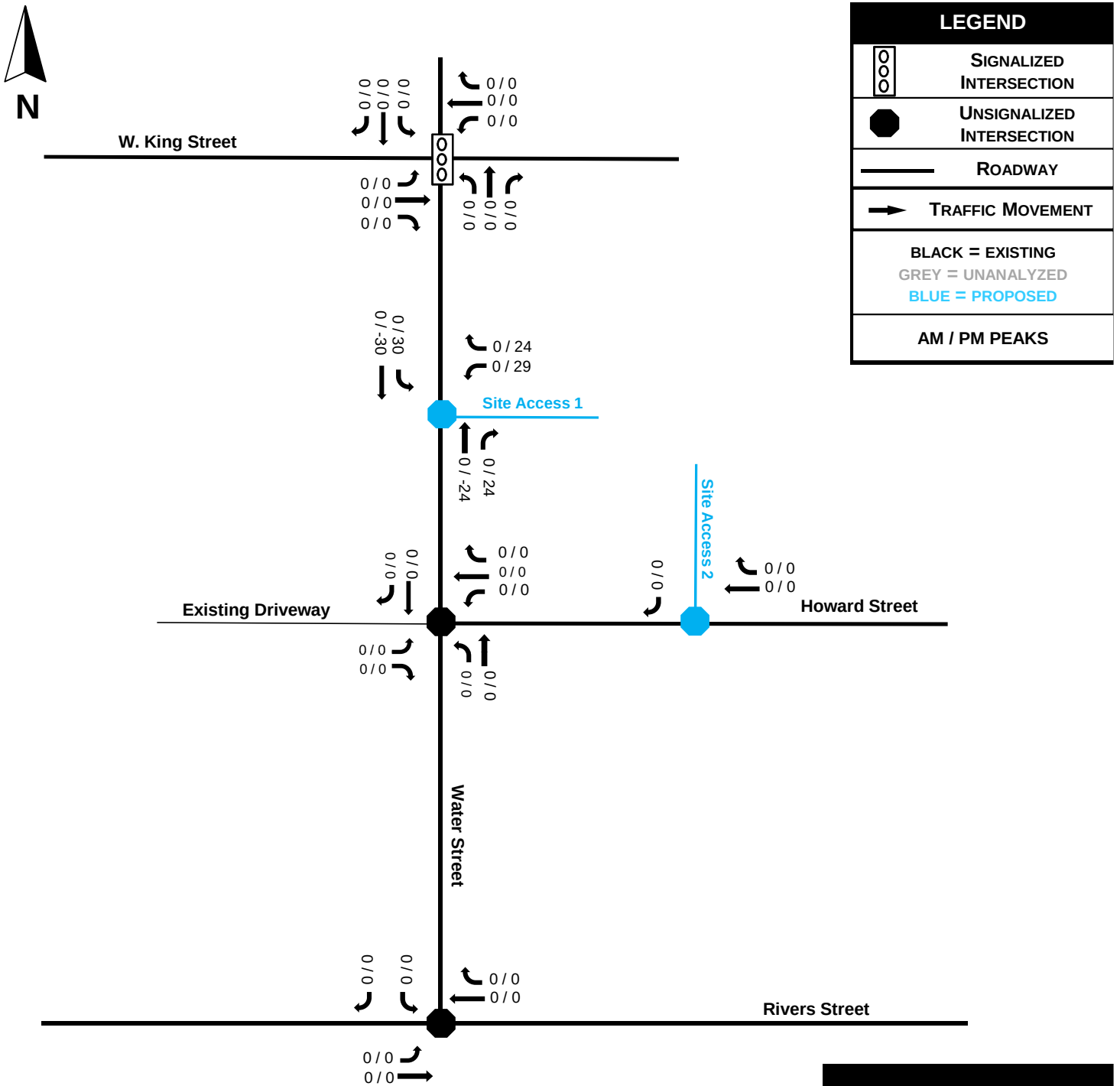


FIGURE 7C
PASS-BY SITE TRIPS

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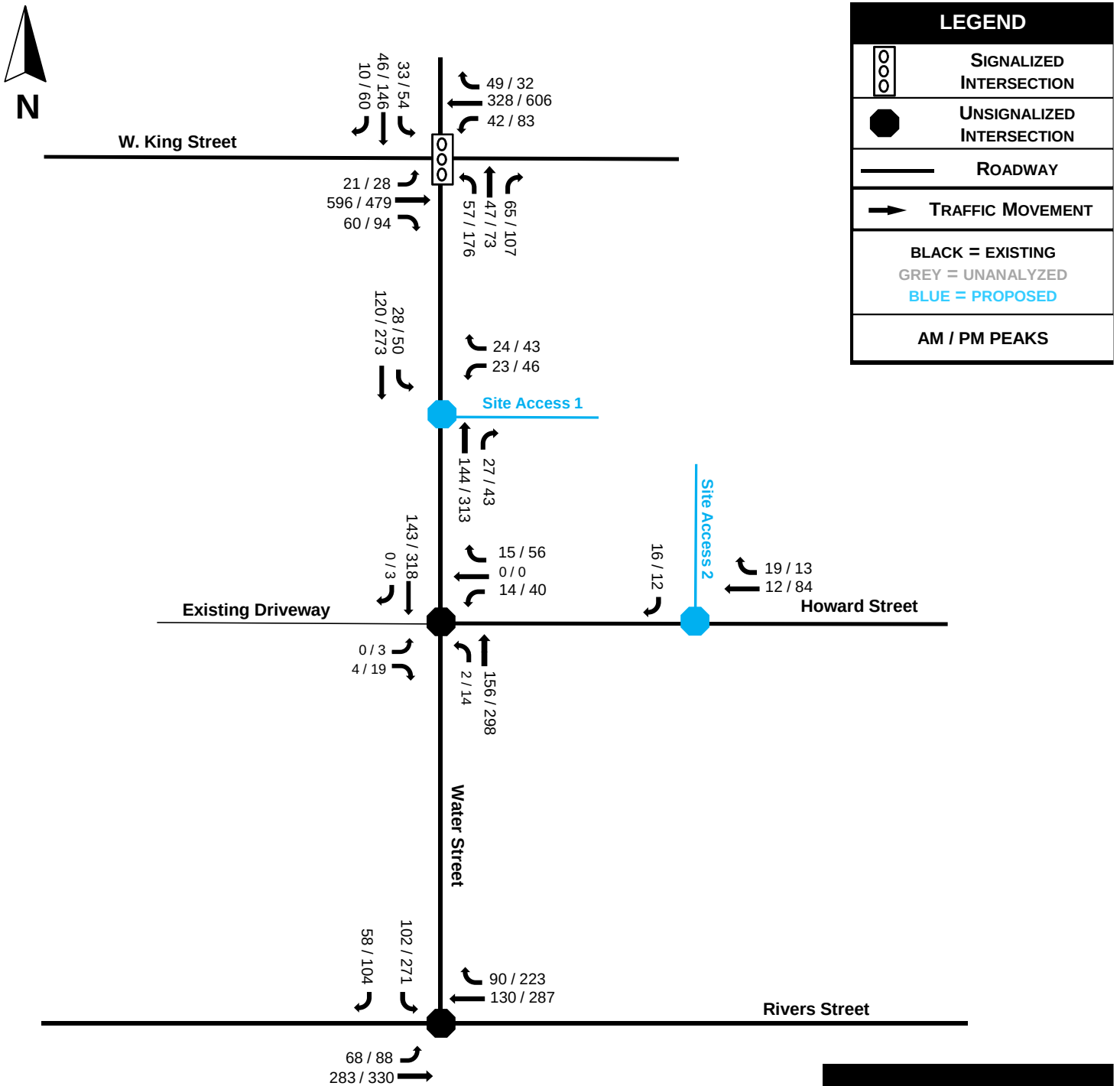


FIGURE 8
2018 FUTURE BUILD
VOLUMES

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5.0 Capacity Analysis

5.1 Level of Service Evaluation Criteria

The Transportation Research Board's Highway Capacity Manual (HCM) utilizes a term "level of service" to measure how traffic operates in intersections and on roadway segments. There are currently six levels of service ranging from A to F. Level of service "A" represents the best conditions and Level of Service "F" represents the worst. Synchro Traffic Modeling software was used to determine the level of service for studied intersections. Note for unsignalized intersection analysis, the level of service noted is for the worst approach of the intersection. This is typically the left turn movement for the side street approach, due to the number of opposing movements. All worksheet reports from the analyses can be found in the Appendix.

Table 5.1 – Highway Capacity Manual

Levels of Service and Control Delay Criteria			
Signalized Intersection		Unsignalized Intersection	
Level of Service	Control Delay Per vehicle (sec)	Level of Service	Delay Range (sec)
A	≤ 10	A	≤ 10
B	> 10 and ≤ 20	B	> 10 and ≤ 15
C	> 20 and ≤ 35	C	> 15 and ≤ 25
D	> 35 and ≤ 55	D	> 25 and ≤ 35
E	> 55 and ≤ 80	E	> 35 and ≤ 50
F	> 80	F	> 50



5.2 Level of Service Results

The results of the study are discussed by intersection below:

Water Street at West King Street

This signalized intersection of Water Street at West King Street currently operates at LOS A in the AM peak and LOS C in the PM peak. The simulation show sporadic queuing on the northbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. In 2018 future no build conditions, the analysis indicates LOS C in the AM and PM peaks. With the addition of site traffic, this intersection is projected to operate at LOS B in the AM peak and LOS C in the PM peak. No improvements are recommended.

Water Street at Howard Street

This unsignalized intersection currently operates at LOS A in the AM peak and LOS B in the PM peak. In 2018 future no build conditions, LOS B is expected in the AM and PM peaks. Additionally, sporadic queues were observed on the westbound approach of Howard Street, particularly during the PM peak. This is mainly due to lack of sufficient gaps from the minor street, which is due to heavy traffic volumes and queues on Water Street. This is a background condition which exists regardless of the proposed development. With the addition of proposed site traffic, LOS A is expected in the AM peak and LOS B in the PM peak. No improvements are recommended.

Water Street at Rivers Street/ Poplar Grove Road

This unsignalized intersection currently operates at LOS B in the AM peak and LOS C in the PM peak. In 2018 future no build conditions, LOS C is expected in the AM peak and LOS E in the PM peak. The simulation show sporadic queuing on the southbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. LOS E is typical at a stop controlled intersection for minor street movements onto a major street. With the addition of site traffic, LOS B is expected in the AM peak and LOS E in the PM peak. The intersection is currently under consideration by NCDOT for modifications to a roundabout. The roundabout concept is not currently funded and has not been studied. However, it is expected that if the roundabout is implemented at this intersection, the level of service can be reduced to a LOS C or better.

Water Street at Proposed Site Access 1

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a three (3) level parking deck only accessible from Water Street. Close driveway spacing such as this is typical for a downtown central business district and dense urban settings. It is recommended to restripe the northbound lane to provide one through lane and one right turn lane into the parking garage. Also to restripe the southbound lane to provide one through lane and one through-left turn lane into the parking garage.



Howard Street at Proposed Site Access 2

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a two (2) level below ground parking deck only accessible from Howard Street. No improvements are recommended.

The recommended improvements at the study intersections are illustrated in Figure 9.

5.3 Level of Service Summary

Table 5.2 presents the summary of the level of service analysis.

Table 5.2 - Level of Service Summary				
AM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	A (9.3)	B (11.1)	B (12.1)	
Water Street at Howard Street	A (8.9) WB Approach	A (9.2) WB Approach	A (9.8) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	B (11.0) SB Approach	B (11.7) SB Approach	B (12.4) SB Approach	
Water Street at Proposed Site Access 1			B (10.0) WB Approach	B (10.2) WB Approach
Howard Street at Proposed Site Access 2			A (8.5) SB Approach	
PM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	C (21.2)	C (23.6)	C (24.2)	
Water Street at Howard Street	B (11.2) WB Approach	B (12.0) WB Approach	B (12.7) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	C (22.2) SB Approach	E (35.4) SB Approach	E (44.3) SB Approach	
Water Street at Proposed Site Access 1			B (13.5) WB Approach	B (14.1) WB Approach
Poplar Grove Road at Proposed Site Access 2			A (8.8) SB Approach	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				



LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING	
GREEN = COMMITTED	
BLUE = PROPOSED	

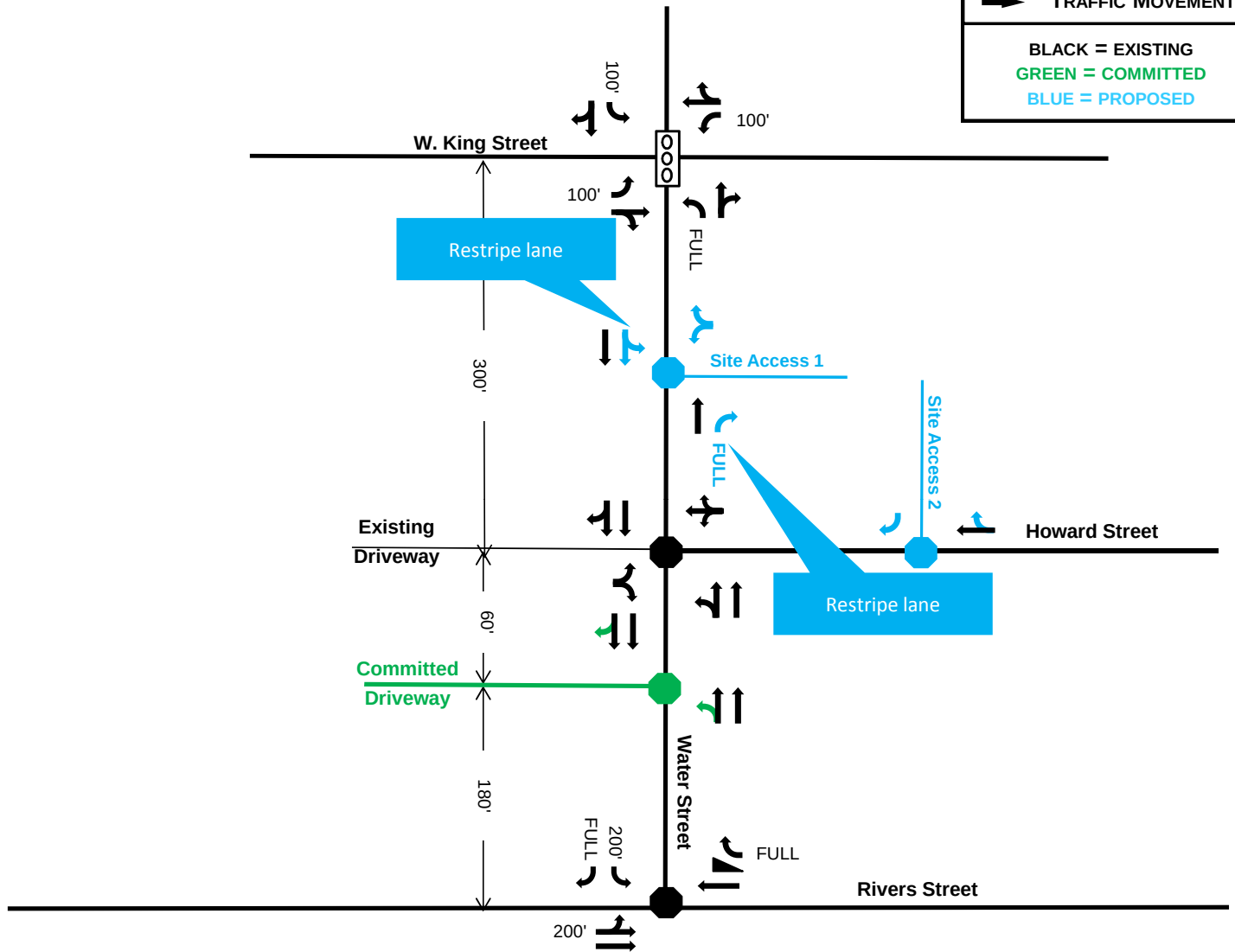


FIGURE 9
RECOMMENDED
IMPROVEMENTS

MARKETPLACE DEVELOPMENT
BOONE, NC

PROJECT NUMBER 160023



*** NOT TO SCALE ***

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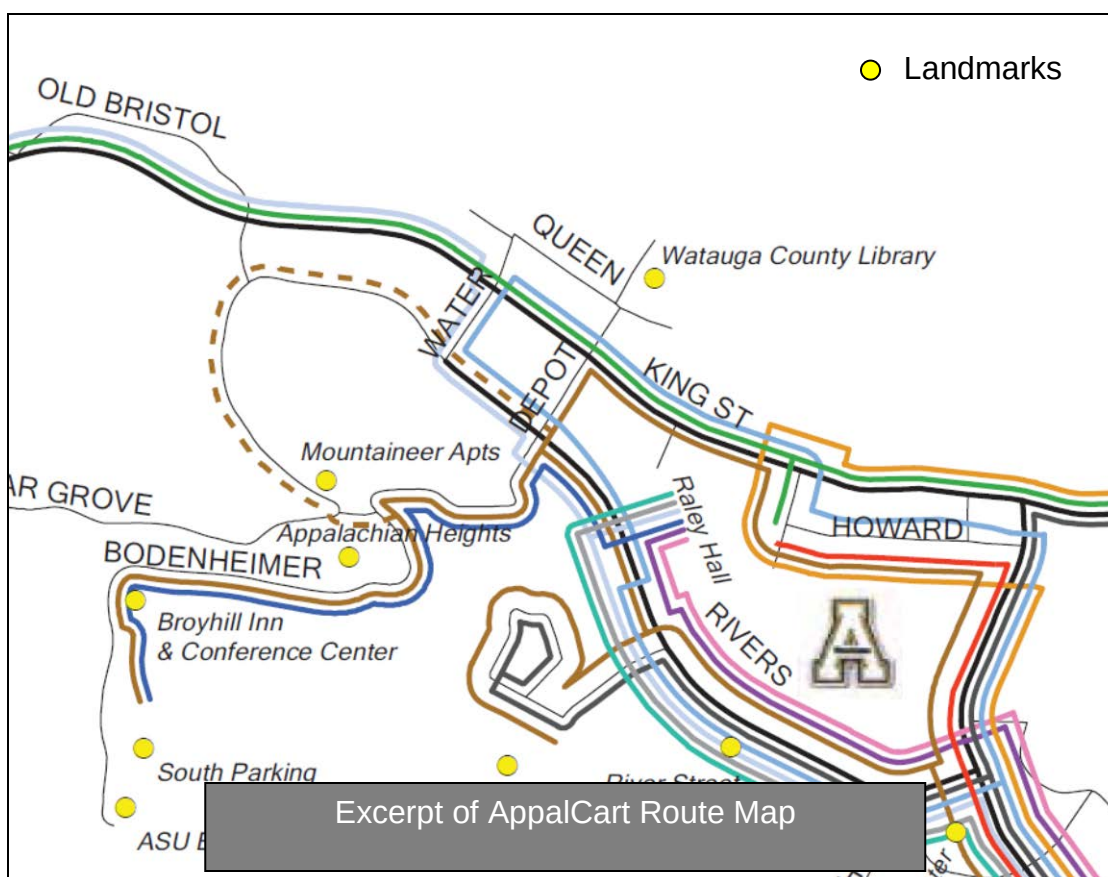
6.0 Pedestrian and Bicycle Accommodations

As part of the development of this site, the developer plans to construct the following pedestrian and bicycle accommodations:

- Sidewalks are currently provided along Water Street and King Street bordering the frontage of the property.
- Sharrows should be striped along the frontage of Water Street to accommodate bicyclist.
- Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles.
- In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.

7.0 Transit Accommodations

AppalCart provides transit service in the Town of Boone. *AppalCart* currently runs routes (Gold, Pop 105 and Express routes) which provides service in the proximity of the site. There is an existing *AppalCart* stop on King Street and Water Street, which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.





8.0 Summary and Conclusion

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

The trip generation indicates that based on the current site plan the proposed project is projected to generate a net total of 1,379 trips per day. This is based on 99-bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The analysis indicates that all study intersections will operate at LOS E or better in the future build conditions. The intersection of Water Street at Rivers Street/ Poplar Grove Road experiences a LOS E in the PM peak, which is typical for a minor street movement onto a major street. As mentioned, NCDOT is considering an intersection conversion to a roundabout at this intersection.

Table 8.0 on the following page summarizes the recommended improvements for the 2018 future build scenario. Improvements are shown in Figure 9 in the report.

In conclusion, this analysis has been conducted based on NCDOT and Town of Boone guidelines and has determined the potential traffic impacts of this development. With the build-out of the site, the analysis indicates there will be adequate capacity to accommodate future traffic. Note that the site accesses should to be designed according to NCDOT standards as appropriate.


Table 8.0 - Recommended Improvement Summary

Water Street at West King Street	No improvements recommended
Water Street at Howard Street	No improvements recommended
Water Street at Rivers Street/ Poplar Grove Road	NCDOT considering intersection modification to a roundabout
Water Street at Proposed Site Access 1	Restripe the lanes to reflect one northbound through lane and one right turn lane; one southbound through lane and one through-left turn lane
Howard Street at Proposed Site Access 2	No improvements recommended
Water Street at Existing Driveway	No improvements recommended
Pedestrian and Bicycle Accommodations	• Sidewalks are currently provided along Water Street, Howard Street and King Street bordering the frontage of the property. • Sharrows should be striped along the frontage of Water Street to accommodate bicyclist. • Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles. • In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.
Transit Accommodations	• There is an existing <i>Appa/Car</i> stop on Water Street at West King Street which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.



Appendix



Level of Service Analysis



Water Street at West King Street

Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	20	573	44	11	315	47	43	41	28	32	39	10
Future Volume (vph)	20	573	44	11	315	47	43	41	28	32	39	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.989			0.981			0.940			0.969	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1658	0	1593	1645	0	1593	1576	0	1593	1625	0
Flt Permitted	0.517			0.358			0.722			0.707		
Satd. Flow (perm)	867	1658	0	600	1645	0	1210	1576	0	1185	1625	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	22	637	49	12	350	52	48	46	31	36	43	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	22	686	0	12	402	0	48	77	0	36	54	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	36.0	36.0		36.0	36.0		25.0	25.0		25.0	25.0	
Total Split (s)	50.0	50.0		50.0	50.0		25.0	25.0		25.0	25.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	44.0	44.0		44.0	44.0		19.0	19.0		19.0	19.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	59.7	59.7		59.7	59.7		10.7	10.7		10.7	10.7	
Actuated g/C Ratio	0.80	0.80		0.80	0.80		0.14	0.14		0.14	0.14	
v/c Ratio	0.03	0.52		0.03	0.31		0.28	0.34		0.21	0.23	
Control Delay	3.0	5.7		3.1	3.8		32.3	32.8		30.8	30.4	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

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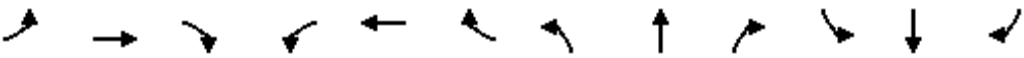
AM Existing
Page 1

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	3.0	5.7		3.1	3.8		32.3	32.8		30.8	30.4	
LOS	A	A		A	A		C	C		C	C	
Approach Delay		5.6			3.8			32.6			30.5	
Approach LOS		A			A			C			C	
Queue Length 50th (ft)	2	98		1	45		21	33		15	23	
Queue Length 95th (ft)	8	209		5	95		48	68		39	52	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	690	1320		478	1310		338	441		331	455	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.03	0.52		0.03	0.31		0.14	0.17		0.11	0.12	

Intersection Summary

Area Type: CBD

Cycle Length: 75

Actuated Cycle Length: 75

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.52

Intersection Signal Delay: 9.3

Intersection LOS: A

Intersection Capacity Utilization 52.5%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	21	596	53	24	328	49	51	45	43	33	43	10
Future Volume (vph)	21	596	53	24	328	49	51	45	43	33	43	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.988			0.981			0.927			0.972	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1656	0	1593	1645	0	1593	1554	0	1593	1630	0
Flt Permitted	0.508			0.332			0.719			0.694		
Satd. Flow (perm)	852	1656	0	557	1645	0	1205	1554	0	1163	1630	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	23	662	59	27	364	54	57	50	48	37	48	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	23	721	0	27	418	0	57	98	0	37	59	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	50.0	50.0		50.0	50.0		26.0	26.0		26.0	26.0	
Total Split (%)	65.8%	65.8%		65.8%	65.8%		34.2%	34.2%		34.2%	34.2%	
Maximum Green (s)	43.0	43.0		43.0	43.0		19.0	19.0		19.0	19.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	58.2	58.2		58.2	58.2		11.6	11.6		11.6	11.6	
Actuated g/C Ratio	0.77	0.77		0.77	0.77		0.15	0.15		0.15	0.15	
v/c Ratio	0.04	0.57		0.06	0.33		0.31	0.42		0.21	0.24	
Control Delay	4.0	7.8		4.4	5.1		32.4	33.9		29.9	29.7	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

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AM No Build
Page 1

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	4.0	7.8		4.4	5.1		32.4	33.9		29.9	29.7	
LOS	A	A		A	A		C	C		C	C	
Approach Delay		7.7			5.0			33.3			29.8	
Approach LOS		A			A			C			C	
Queue Length 50th (ft)	3	135		3	59		24	43		16	25	
Queue Length 95th (ft)	10	281		12	122		54	82		39	54	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	652	1268		426	1260		332	429		321	450	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.04	0.57		0.06	0.33		0.17	0.23		0.12	0.13	

Intersection Summary

Area Type: CBD

Cycle Length: 76

Actuated Cycle Length: 76

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.57

Intersection Signal Delay: 11.1

Intersection LOS: B

Intersection Capacity Utilization 56.6%

ICU Level of Service B

Analysis Period (min) 15

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings

100: Water Street & W. King Street

5/27/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	21	596	60	42	328	49	57	47	65	33	46	10
Future Volume (vph)	21	596	60	42	328	49	57	47	65	33	46	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.986			0.981			0.913			0.973	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1653	0	1593	1645	0	1593	1531	0	1593	1631	0
Flt Permitted	0.504			0.320			0.717			0.677		
Satd. Flow (perm)	845	1653	0	536	1645	0	1202	1531	0	1135	1631	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			161			330	
Travel Time (s)		15.7			10.1			5.5			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	23	662	67	47	364	54	63	52	72	37	51	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	23	729	0	47	418	0	63	124	0	37	62	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	50.0	50.0		50.0	50.0		26.0	26.0		26.0	26.0	
Total Split (%)	65.8%	65.8%		65.8%	65.8%		34.2%	34.2%		34.2%	34.2%	
Maximum Green (s)	43.0	43.0		43.0	43.0		19.0	19.0		19.0	19.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	57.0	57.0		57.0	57.0		12.8	12.8		12.8	12.8	
Actuated g/C Ratio	0.75	0.75		0.75	0.75		0.17	0.17		0.17	0.17	
v/c Ratio	0.04	0.59		0.12	0.34		0.31	0.48		0.19	0.23	
Control Delay	4.6	8.9		5.5	5.7		30.8	34.3		28.2	28.1	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

160023 Marketplace Development
Dionne C. Brown, PE

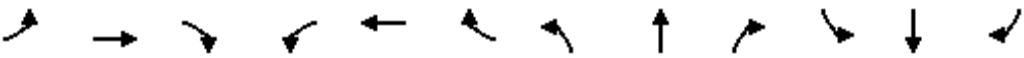
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

Lanes, Volumes, Timings

100: Water Street & W. King Street

5/27/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	4.6	8.9		5.5	5.7		30.8	34.3		28.2	28.1	
LOS	A	A		A	A		C	C		C	C	
Approach Delay		8.8			5.7			33.1			28.1	
Approach LOS		A			A			C			C	
Queue Length 50th (ft)	3	150		6	64		27	54		15	26	
Queue Length 95th (ft)	11	317		21	134		57	97		38	54	
Internal Link Dist (ft)		496			291			81			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	634	1240		402	1234		332	423		313	450	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.04	0.59		0.12	0.34		0.19	0.29		0.12	0.14	

Intersection Summary

Area Type: CBD

Cycle Length: 76

Actuated Cycle Length: 76

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.59

Intersection Signal Delay: 12.1

Intersection LOS: B

Intersection Capacity Utilization 57.4%

ICU Level of Service B

Analysis Period (min) 15

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	27	460	77	52	582	31	157	63	74	52	134	58
Future Volume (vph)	27	460	77	52	582	31	157	63	74	52	134	58
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.978			0.993			0.919			0.955	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1640	0	1593	1665	0	1593	1541	0	1593	1601	0
Flt Permitted	0.307			0.357			0.483			0.595		
Satd. Flow (perm)	515	1640	0	599	1665	0	810	1541	0	998	1601	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	30	511	86	58	647	34	174	70	82	58	149	64
Shared Lane Traffic (%)												
Lane Group Flow (vph)	30	597	0	58	681	0	174	152	0	58	213	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	36.0	36.0		36.0	36.0		25.0	25.0		25.0	25.0	
Total Split (s)	60.0	60.0		60.0	60.0		30.0	30.0		30.0	30.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	54.0	54.0		54.0	54.0		24.0	24.0		24.0	24.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	59.6	59.6		59.6	59.6		22.4	22.4		22.4	22.4	
Actuated g/C Ratio	0.66	0.66		0.66	0.66		0.25	0.25		0.25	0.25	
v/c Ratio	0.09	0.55		0.15	0.62		0.87	0.40		0.23	0.54	
Control Delay	7.5	11.4		8.0	12.7		69.0	30.3		27.8	33.7	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

160023 Marketplace Development
Dionne C. Brown, PE

PM Existing
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	7.5	11.4		8.0	12.7		69.0	30.3		27.8	33.7	
LOS	A	B		A	B		E	C		C	C	
Approach Delay		11.2			12.4			51.0				
Approach LOS		B			B			D				
Queue Length 50th (ft)	6	177		12	217		91	69		25	101	
Queue Length 95th (ft)	18	280		30	344		#195	121		56	167	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	340	1086		396	1102		234	445		288	462	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.09	0.55		0.15	0.62		0.74	0.34		0.20	0.46	

Intersection Summary

Area Type: CBD

Cycle Length: 90

Actuated Cycle Length: 90

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.87

Intersection Signal Delay: 21.2

Intersection LOS: C

Intersection Capacity Utilization 79.4%

ICU Level of Service D

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	28	479	89	70	606	32	171	71	91	54	143	60
Future Volume (vph)	28	479	89	70	606	32	171	71	91	54	143	60
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.976			0.992			0.916			0.956	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1636	0	1593	1663	0	1593	1536	0	1593	1603	0
Flt Permitted	0.281			0.329			0.494			0.576		
Satd. Flow (perm)	471	1636	0	552	1663	0	828	1536	0	966	1603	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	31	532	99	78	673	36	190	79	101	60	159	67
Shared Lane Traffic (%)												
Lane Group Flow (vph)	31	631	0	78	709	0	190	180	0	60	226	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	60.0	60.0		60.0	60.0		30.0	30.0		30.0	30.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	53.0	53.0		53.0	53.0		23.0	23.0		23.0	23.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	56.9	56.9		56.9	56.9		23.1	23.1		23.1	23.1	
Actuated g/C Ratio	0.63	0.63		0.63	0.63		0.26	0.26		0.26	0.26	
v/c Ratio	0.10	0.61		0.22	0.67		0.90	0.46		0.24	0.55	
Control Delay	8.4	13.7		9.9	15.3		73.4	31.8		28.3	34.0	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

160023 Marketplace Development
Dionne C. Brown, PE

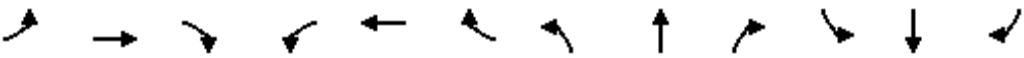
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

Lanes, Volumes, Timings

100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	8.4	13.7		9.9	15.3		73.4	31.8		28.3	34.0	
LOS	A	B		A	B		E	C		C	C	
Approach Delay		13.4			14.8			53.2			32.8	
Approach LOS		B			B			D			C	
Queue Length 50th (ft)	7	207		18	249		101	84		26	108	
Queue Length 95th (ft)	19	318		43	384		#221	145		60	180	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	297	1034		349	1051		230	426		268	445	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.10	0.61		0.22	0.67		0.83	0.42		0.22	0.51	

Intersection Summary

Area Type: CBD

Cycle Length: 90

Actuated Cycle Length: 90

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.90

Intersection Signal Delay: 23.6

Intersection LOS: C

Intersection Capacity Utilization 87.2%

ICU Level of Service E

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings

100: Water Street & W. King Street

5/27/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	28	479	94	83	606	32	176	73	107	54	146	60
Future Volume (vph)	28	479	94	83	606	32	176	73	107	54	146	60
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.975			0.992			0.911			0.956	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1635	0	1593	1663	0	1593	1527	0	1593	1603	0
Flt Permitted	0.278			0.323			0.494			0.544		
Satd. Flow (perm)	466	1635	0	542	1663	0	828	1527	0	912	1603	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			161			330	
Travel Time (s)		15.7			10.1			5.5			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	31	532	104	92	673	36	196	81	119	60	162	67
Shared Lane Traffic (%)												
Lane Group Flow (vph)	31	636	0	92	709	0	196	200	0	60	229	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	60.0	60.0		60.0	60.0		30.0	30.0		30.0	30.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	53.0	53.0		53.0	53.0		23.0	23.0		23.0	23.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	56.4	56.4		56.4	56.4		23.6	23.6		23.6	23.6	
Actuated g/C Ratio	0.63	0.63		0.63	0.63		0.26	0.26		0.26	0.26	
v/c Ratio	0.11	0.62		0.27	0.68		0.90	0.50		0.25	0.55	
Control Delay	8.5	14.1		10.8	15.7		74.3	32.6		28.6	33.6	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

160023 Marketplace Development
Dionne C. Brown, PE

PM Build
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

Lanes, Volumes, Timings

100: Water Street & W. King Street

5/27/2016

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	8.5	14.1		10.8	15.7		74.3	32.6		28.6	33.6	
LOS	A	B		B	B		E	C		C	C	
Approach Delay		13.8			15.1			53.3				
Approach LOS		B			B			D				
Queue Length 50th (ft)	7	210		22	249		105	94		26	110	
Queue Length 95th (ft)	19	322		51	384		#231	161		60	182	
Internal Link Dist (ft)		496			291			81			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	291	1024		339	1042		230	424		253	445	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.11	0.62		0.27	0.68		0.85	0.47		0.24	0.51	

Intersection Summary

Area Type: CBD

Cycle Length: 90

Actuated Cycle Length: 90

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.90

Intersection Signal Delay: 24.1

Intersection LOS: C

Intersection Capacity Utilization 87.7%

ICU Level of Service E

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 100: Water Street & W. King Street





Water Street at Howard Street

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	4	3	0	8	2	104	0	0	94	0
Future Volume (Veh/h)	0	0	4	3	0	8	2	104	0	0	94	0
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	4	3	0	9	2	116	0	0	104	0
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)											300	
pX, platoon unblocked												
vC, conflicting volume	175	224	52	176	224	58	104			116		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	175	224	52	176	224	58	104			116		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	100	100	100	99	100			100		
cM capacity (veh/h)	764	673	1005	766	673	996	1485			1470		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	4	12	41	77	69	35						
Volume Left	0	3	2	0	0	0						
Volume Right	4	9	0	0	0	0						
cSH	1005	926	1485	1700	1700	1700						
Volume to Capacity	0.00	0.01	0.00	0.05	0.04	0.02						
Queue Length 95th (ft)	0	1	0	0	0	0						
Control Delay (s)	8.6	8.9	0.4	0.0	0.0	0.0						
Lane LOS	A	A	A									
Approach Delay (s)	8.6	8.9	0.1		0.0							
Approach LOS	A	A										
Intersection Summary												
Average Delay			0.7									
Intersection Capacity Utilization			15.2%		ICU Level of Service					A		
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	4	4	0	8	2	129	0	0	120	0
Future Volume (Veh/h)	0	0	4	4	0	8	2	129	0	0	120	0
Sign Control	Stop				Stop				Free		Free	
Grade	0%				0%				0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	4	4	0	9	2	143	0	0	133	0
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	None								None			
Median storage (veh)												
Upstream signal (ft)												300
pX, platoon unblocked												
vC, conflicting volume	218	280	66	218	280	72	133				143	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	218	280	66	218	280	72	133				143	
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1				4.1	
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2				2.2	
p0 queue free %	100	100	100	99	100	99	100				100	
cM capacity (veh/h)	713	626	983	716	626	976	1449				1437	
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	4	13	50	95	89	44						
Volume Left	0	4	2	0	0	0						
Volume Right	4	9	0	0	0	0						
cSH	983	878	1449	1700	1700	1700						
Volume to Capacity	0.00	0.01	0.00	0.06	0.05	0.03						
Queue Length 95th (ft)	0	1	0	0	0	0						
Control Delay (s)	8.7	9.2	0.3	0.0	0.0	0.0						
Lane LOS	A	A	A									
Approach Delay (s)	8.7	9.2	0.1	0.0								
Approach LOS	A	A										
Intersection Summary												
Average Delay			0.6									
Intersection Capacity Utilization			17.1%	ICU Level of Service				A				
Analysis Period (min)			15									

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

5/27/2016

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Traffic Volume (veh/h)	0	0	4	14	0	15	2	156	0	0	143	0	
Future Volume (Veh/h)	0	0	4	14	0	15	2	156	0	0	143	0	
Sign Control		Stop			Stop			Free			Free		
Grade		0%			0%			0%			0%		
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	
Hourly flow rate (vph)	0	0	4	16	0	17	2	173	0	0	159	0	
Pedestrians													
Lane Width (ft)													
Walking Speed (ft/s)													
Percent Blockage													
Right turn flare (veh)													
Median type	None										None		
Median storage veh													
Upstream signal (ft)												300	
pX, platoon unblocked													
vC, conflicting volume	266	336	80	260	336	86	159						173
vC1, stage 1 conf vol													
vC2, stage 2 conf vol													
vCu, unblocked vol	266	336	80	260	336	86	159						173
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1						4.1
tC, 2 stage (s)													
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2						2.2
p0 queue free %	100	100	100	98	100	98	100						100
cM capacity (veh/h)	652	583	965	668	583	955	1418						1401
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2							
Volume Total	4	33	60	115	106	53							
Volume Left	0	16	2	0	0	0							
Volume Right	4	17	0	0	0	0							
cSH	965	790	1418	1700	1700	1700							
Volume to Capacity	0.00	0.04	0.00	0.07	0.06	0.03							
Queue Length 95th (ft)	0	3	0	0	0	0							
Control Delay (s)	8.7	9.8	0.3	0.0	0.0	0.0							
Lane LOS	A	A	A										
Approach Delay (s)	8.7	9.8	0.1	0.0									
Approach LOS	A	A											
Intersection Summary													
Average Delay	1.0												
Intersection Capacity Utilization	21.6%			ICU Level of Service					A				
Analysis Period (min)	15												

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	0	18	30	0	49	13	242	0	0	260	3
Future Volume (Veh/h)	3	0	18	30	0	49	13	242	0	0	260	3
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	3	0	20	33	0	54	14	269	0	0	289	3
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)											300	
pX, platoon unblocked												
vC, conflicting volume	507	588	146	462	589	134	292			269		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	507	588	146	462	589	134	292			269		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	100	98	93	100	94	99			100		
cM capacity (veh/h)	418	415	875	468	415	890	1267			1292		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	23	87	104	179	193	99						
Volume Left	3	33	14	0	0	0						
Volume Right	20	54	0	0	0	3						
cSH	765	663	1267	1700	1700	1700						
Volume to Capacity	0.03	0.13	0.01	0.11	0.11	0.06						
Queue Length 95th (ft)	2	11	1	0	0	0						
Control Delay (s)	9.8	11.2	1.1	0.0	0.0	0.0						
Lane LOS	A	B	A									
Approach Delay (s)	9.8	11.2	0.4		0.0							
Approach LOS	A	B										
Intersection Summary												
Average Delay			1.9									
Intersection Capacity Utilization			36.0%		ICU Level of Service		A					
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	0	19	33	0	51	14	279	0	0	302	3
Future Volume (Veh/h)	3	0	19	33	0	51	14	279	0	0	302	3
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	3	0	21	37	0	57	16	310	0	0	336	3
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)											300	
pX, platoon unblocked												
vC, conflicting volume	582	680	170	531	681	155	339			310		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	582	680	170	531	681	155	339			310		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	100	98	91	100	93	99			100		
cM capacity (veh/h)	367	367	845	416	366	863	1217			1247		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	24	94	119	207	224	115						
Volume Left	3	37	16	0	0	0						
Volume Right	21	57	0	0	0	3						
cSH	726	607	1217	1700	1700	1700						
Volume to Capacity	0.03	0.15	0.01	0.12	0.13	0.07						
Queue Length 95th (ft)	3	14	1	0	0	0						
Control Delay (s)	10.1	12.0	1.2	0.0	0.0	0.0						
Lane LOS	B	B	A									
Approach Delay (s)	10.1	12.0	0.4		0.0							
Approach LOS	B	B										
Intersection Summary												
Average Delay			1.9									
Intersection Capacity Utilization			38.9%		ICU Level of Service					A		
Analysis Period (min)			15									

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

5/27/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	0	19	40	0	56	14	298	0	0	318	3
Future Volume (Veh/h)	3	0	19	40	0	56	14	298	0	0	318	3
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	3	0	21	44	0	62	16	331	0	0	353	3
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)											300	
pX, platoon unblocked												
vC, conflicting volume	614	718	178	560	719	166	356			331		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	614	718	178	560	719	166	356			331		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	100	97	89	100	93	99			100		
cM capacity (veh/h)	345	349	834	396	348	850	1199			1225		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	24	106	126	221	235	121						
Volume Left	3	44	16	0	0	0						
Volume Right	21	62	0	0	0	3						
cSH	709	576	1199	1700	1700	1700						
Volume to Capacity	0.03	0.18	0.01	0.13	0.14	0.07						
Queue Length 95th (ft)	3	17	1	0	0	0						
Control Delay (s)	10.3	12.7	1.1	0.0	0.0	0.0						
Lane LOS	B	B	A									
Approach Delay (s)	10.3	12.7	0.4		0.0							
Approach LOS	B	B										
Intersection Summary												
Average Delay			2.1									
Intersection Capacity Utilization			40.2%		ICU Level of Service				A			
Analysis Period (min)			15									

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

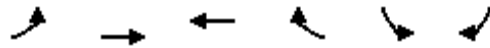


Water Street at Rivers Street/ Poplar Grove Road

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016

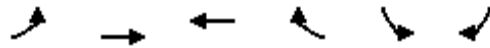


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↕	↕	↕
Traffic Volume (veh/h)	36	252	103	70	75	26
Future Volume (Veh/h)	36	252	103	70	75	26
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	40	280	114	78	83	29
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	114				334	114
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	114				334	114
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	97				87	97
cM capacity (veh/h)	1473				618	917
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	133	187	114	78	83	29
Volume Left	40	0	0	0	83	0
Volume Right	0	0	0	78	0	29
cSH	1473	1700	1700	1700	618	917
Volume to Capacity	0.03	0.11	0.07	0.05	0.13	0.03
Queue Length 95th (ft)	2	0	0	0	12	2
Control Delay (s)	2.4	0.0	0.0	0.0	11.7	9.1
Lane LOS	A				B	A
Approach Delay (s)	1.0		0.0		11.0	
Approach LOS					B	
Intersection Summary						
Average Delay			2.5			
Intersection Capacity Utilization			23.5%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016

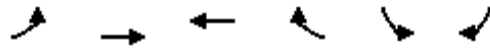


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↕	↕	↕
Traffic Volume (veh/h)	56	283	130	74	79	48
Future Volume (Veh/h)	56	283	130	74	79	48
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	62	314	144	82	88	53
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	144				425	144
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	144				425	144
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	96				84	94
cM capacity (veh/h)	1436				533	877
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	167	209	144	82	88	53
Volume Left	62	0	0	0	88	0
Volume Right	0	0	0	82	0	53
cSH	1436	1700	1700	1700	533	877
Volume to Capacity	0.04	0.12	0.08	0.05	0.16	0.06
Queue Length 95th (ft)	3	0	0	0	15	5
Control Delay (s)	3.1	0.0	0.0	0.0	13.1	9.4
Lane LOS	A				B	A
Approach Delay (s)	1.4		0.0		11.7	
Approach LOS					B	
Intersection Summary						
Average Delay			2.9			
Intersection Capacity Utilization			33.0%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

5/27/2016

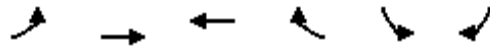


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↕	↕	↕
Traffic Volume (veh/h)	68	283	130	90	102	58
Future Volume (Veh/h)	68	283	130	90	102	58
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	76	314	144	100	113	64
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	144				453	144
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	144				453	144
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	95				78	93
cM capacity (veh/h)	1436				507	877
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	181	209	144	100	113	64
Volume Left	76	0	0	0	113	0
Volume Right	0	0	0	100	0	64
cSH	1436	1700	1700	1700	507	877
Volume to Capacity	0.05	0.12	0.08	0.06	0.22	0.07
Queue Length 95th (ft)	4	0	0	0	21	6
Control Delay (s)	3.5	0.0	0.0	0.0	14.1	9.4
Lane LOS	A				B	A
Approach Delay (s)	1.6		0.0		12.4	
Approach LOS					B	
Intersection Summary						
Average Delay			3.5			
Intersection Capacity Utilization			34.8%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016

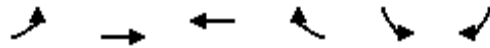


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↕	↕	↕
Traffic Volume (veh/h)	52	293	245	203	245	63
Future Volume (Veh/h)	52	293	245	203	245	63
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	58	326	272	226	272	70
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	272				551	272
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	272				551	272
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	95				39	90
cM capacity (veh/h)	1288				443	726
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	167	217	272	226	272	70
Volume Left	58	0	0	0	272	0
Volume Right	0	0	0	226	0	70
cSH	1288	1700	1700	1700	443	726
Volume to Capacity	0.05	0.13	0.16	0.13	0.61	0.10
Queue Length 95th (ft)	4	0	0	0	100	8
Control Delay (s)	3.0	0.0	0.0	0.0	25.2	10.5
Lane LOS	A				D	B
Approach Delay (s)	1.3		0.0		22.2	
Approach LOS					C	
Intersection Summary						
Average Delay			6.6			
Intersection Capacity Utilization			50.1%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016



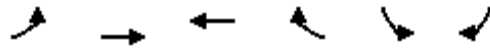
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔↗	↗	↗	↗	↗
Traffic Volume (veh/h)	80	330	287	212	255	97
Future Volume (Veh/h)	80	330	287	212	255	97
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	89	367	319	236	283	108
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	319				680	319
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	319				680	319
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	93				21	84
cM capacity (veh/h)	1238				357	677
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	211	245	319	236	283	108
Volume Left	89	0	0	0	283	0
Volume Right	0	0	0	236	0	108
cSH	1238	1700	1700	1700	357	677
Volume to Capacity	0.07	0.14	0.19	0.14	0.79	0.16
Queue Length 95th (ft)	6	0	0	0	167	14
Control Delay (s)	3.8	0.0	0.0	0.0	44.5	11.3
Lane LOS	A				E	B
Approach Delay (s)	1.8		0.0		35.4	
Approach LOS					E	
Intersection Summary						
Average Delay			10.4			
Intersection Capacity Utilization			55.2%		ICU Level of Service	B
Analysis Period (min)			15			

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

5/27/2016



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔↔	↔	↔	↔	↔
Traffic Volume (veh/h)	88	330	287	223	271	104
Future Volume (Veh/h)	88	330	287	223	271	104
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	98	367	319	248	301	116
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	319				698	319
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	319				698	319
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	92				13	83
cM capacity (veh/h)	1238				345	677
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	220	245	319	248	301	116
Volume Left	98	0	0	0	301	0
Volume Right	0	0	0	248	0	116
cSH	1238	1700	1700	1700	345	677
Volume to Capacity	0.08	0.14	0.19	0.15	0.87	0.17
Queue Length 95th (ft)	6	0	0	0	206	15
Control Delay (s)	4.0	0.0	0.0	0.0	57.0	11.4
Lane LOS	A				F	B
Approach Delay (s)	1.9		0.0		44.3	
Approach LOS					E	
Intersection Summary						
Average Delay			13.4			
Intersection Capacity Utilization			56.4%		ICU Level of Service	B
Analysis Period (min)			15			



Water Street at Proposed Site Access 1

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	23	24	144	27	28	120
Future Volume (Veh/h)	23	24	144	27	28	120
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	26	27	160	30	31	133
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	304	95			190	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	304	95			190	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	96	97			98	
cM capacity (veh/h)	649	943			1381	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	53	107	83	75	89	
Volume Left	26	0	0	31	0	
Volume Right	27	0	30	0	0	
cSH	772	1700	1700	1381	1700	
Volume to Capacity	0.07	0.06	0.05	0.02	0.05	
Queue Length 95th (ft)	6	0	0	2	0	
Control Delay (s)	10.0	0.0	0.0	3.3	0.0	
Lane LOS	B			A		
Approach Delay (s)	10.0	0.0		1.5		
Approach LOS	B					
Intersection Summary						
Average Delay			1.9			
Intersection Capacity Utilization			22.3%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	23	24	144	27	28	120
Future Volume (Veh/h)	23	24	144	27	28	120
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	26	27	160	30	31	133
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	288	160			190	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	288	160			190	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	96	97			98	
cM capacity (veh/h)	663	857			1381	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	53	160	30	75	89	
Volume Left	26	0	0	31	0	
Volume Right	27	0	30	0	0	
cSH	749	1700	1700	1381	1700	
Volume to Capacity	0.07	0.09	0.02	0.02	0.05	
Queue Length 95th (ft)	6	0	0	2	0	
Control Delay (s)	10.2	0.0	0.0	3.3	0.0	
Lane LOS	B			A		
Approach Delay (s)	10.2	0.0		1.5		
Approach LOS	B					
Intersection Summary						
Average Delay			1.9			
Intersection Capacity Utilization			25.0%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	46	43	313	43	50	273
Future Volume (Veh/h)	46	43	313	43	50	273
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	51	48	348	48	56	303
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	636	198			396	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	636	198			396	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	87	94			95	
cM capacity (veh/h)	391	810			1159	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	99	232	164	157	202	
Volume Left	51	0	0	56	0	
Volume Right	48	0	48	0	0	
cSH	522	1700	1700	1159	1700	
Volume to Capacity	0.19	0.14	0.10	0.05	0.12	
Queue Length 95th (ft)	17	0	0	4	0	
Control Delay (s)	13.5	0.0	0.0	3.2	0.0	
Lane LOS	B			A		
Approach Delay (s)	13.5	0.0		1.4		
Approach LOS	B					
Intersection Summary						
Average Delay			2.2			
Intersection Capacity Utilization			34.2%	ICU Level of Service		A
Analysis Period (min)			15			

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	46	43	313	43	50	273
Future Volume (Veh/h)	46	43	313	43	50	273
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	51	48	348	48	56	303
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	612	348			396	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	612	348			396	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	87	93			95	
cM capacity (veh/h)	405	648			1159	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	99	348	48	157	202	
Volume Left	51	0	0	56	0	
Volume Right	48	0	48	0	0	
cSH	495	1700	1700	1159	1700	
Volume to Capacity	0.20	0.20	0.03	0.05	0.12	
Queue Length 95th (ft)	18	0	0	4	0	
Control Delay (s)	14.1	0.0	0.0	3.2	0.0	
Lane LOS	B			A		
Approach Delay (s)	14.1	0.0		1.4		
Approach LOS	B					
Intersection Summary						
Average Delay			2.2			
Intersection Capacity Utilization			40.7%	ICU Level of Service		A
Analysis Period (min)			15			

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)



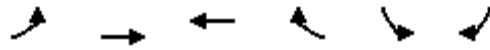
Howard Street at Proposed Site Access

2

HCM Unsignalized Intersection Capacity Analysis

500: Howard Street & Site Access 2

5/27/2016

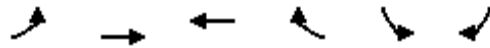


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↩			↩
Traffic Volume (veh/h)	0	0	12	19	0	16
Future Volume (Veh/h)	0	0	12	19	0	16
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	13	21	0	18
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	34				24	24
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	34				24	24
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				100	98
cM capacity (veh/h)	1578				993	1053
Direction, Lane #	WB 1	SB 1				
Volume Total	34	18				
Volume Left	0	0				
Volume Right	21	18				
cSH	1700	1053				
Volume to Capacity	0.02	0.02				
Queue Length 95th (ft)	0	1				
Control Delay (s)	0.0	8.5				
Lane LOS		A				
Approach Delay (s)	0.0	8.5				
Approach LOS		A				
Intersection Summary						
Average Delay		2.9				
Intersection Capacity Utilization		13.3%		ICU Level of Service		A
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

500: Howard Street & Site Access 2

5/27/2016



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↩			↩
Traffic Volume (veh/h)	0	0	84	13	0	12
Future Volume (Veh/h)	0	0	84	13	0	12
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	93	14	0	13
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	107				100	100
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	107				100	100
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				100	99
cM capacity (veh/h)	1484				899	956
Direction, Lane #	WB 1	SB 1				
Volume Total	107	13				
Volume Left	0	0				
Volume Right	14	13				
cSH	1700	956				
Volume to Capacity	0.06	0.01				
Queue Length 95th (ft)	0	1				
Control Delay (s)	0.0	8.8				
Lane LOS		A				
Approach Delay (s)	0.0	8.8				
Approach LOS		A				
Intersection Summary						
Average Delay		1.0				
Intersection Capacity Utilization		15.2%		ICU Level of Service		A
Analysis Period (min)		15				



Trip Generation

Trip Generation Summary - Alternative 1

Project: 160023
Alternative: Alternative 1

Open Date: 3/14/2016
Analysis Date: 3/14/2016

ITE	Land Use	Average Daily Trips			AM Peak Hour of Adjacent Street Traffic			PM Peak Hour of Adjacent Street Traffic		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
220	APT 1 99 Persons	140	139	279	19	18	37	21	20	41
820	CENTERSHOPPING 1 8.5 Gross Leasable Area 1000 SF	684	684	1368	22	13	35	55	60	115
932	RESTAURANTHT 1 9.38 Gross Floor Area 1000 SF	597	596	1193						
Unadjusted Volume		1421	1419	2840	41	31	72	76	80	156
Internal Capture Trips		0	0	0	0	0	0	16	16	32
Pass-By Trips		0	0	0	0	0	0	17	17	34
Volume Added to Adjacent Streets		1421	1419	2840	41	31	72	43	47	90

Total AM Peak Hour Internal Capture = 0 Percent

Total PM Peak Hour Internal Capture = 21 Percent

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

ITE Trip Generation									
Marketplace Development, Boone NC									
Average Weekday Driveway Volumes					24 Hour	AM Peak Hour		PM Peak Hour	
					Two-Way				
Land Use	ITE Land Code	Size		Data Source	Volume	Enter	Exit	Enter	Exit
Apartments	220	99	Persons	Equations	279	18	18	20	20
Retail	820	8.5	Th.Sq.Ft GLA	Equations	1,368	22	13	55	60
Restaurant	932	9.38	Th.Sq.Ft GLA	Rate	1,193	66	59	93	80
Total Unadjusted Trips					2,840	106	90	168	160
Internal Capture Overall %					7%	N/A		10.2%	
Apartments					-99	0	0	-6	-11
Retail					-99	0	0	-11	-6
Total Internal Trips Reduction					-198	0	0	-17	-17
Apartments					180	18	18	14	9
Retail					1,315	22	13	51	58
Restaurant					1,147	66	59	87	76
Total of External Trips					2,643	106	90	151	143
Retail Pass-by Reduction		0% AM / 34% PM			-224	0	0	-17	-20
Restaurant Pass-by Reduction		0% AM / 43% PM			-247	0	0	-37	-33
Pedestrian/Transit Reduction		30%			-793	-32	-27	-45	-43
Total Adjusted Trips					1,379	74	63	52	47



Traffic Volume Data

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

Counted by: K. Kim

File Name : King Street at Water Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 1

Weather: Clear

Groups Printed- Cars - Trucks and Buses - Bicycles

	Water Street Southbound					King Street Westbound					Water Street Northbound					King Street Eastbound							
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Exclu. Total	Inclu. Total	Int. Tot
07:00 AM	1	1	5	0	7	3	42	2	0	47	1	1	6	2	8	11	90	0	1	101	3	163	16
07:15 AM	1	4	2	3	7	2	60	3	0	65	5	4	6	4	15	11	119	1	1	131	8	218	22
07:30 AM	2	6	8	2	16	9	80	3	1	92	9	3	10	1	22	14	136	3	4	153	8	283	29
07:45 AM	5	19	9	5	33	17	73	4	1	94	7	17	16	4	40	10	164	5	2	179	12	346	35
Total	9	30	24	10	63	31	255	12	2	298	22	25	38	11	85	46	509	9	8	564	31	1010	104
08:00 AM	0	9	10	1	19	11	89	2	1	102	4	14	10	4	28	15	160	3	0	178	6	327	33
08:15 AM	3	5	5	1	13	10	73	2	2	85	8	7	7	6	22	5	113	9	1	127	10	247	25
08:30 AM	8	6	9	3	23	14	91	2	2	107	1	4	7	6	12	12	121	7	3	140	14	282	29
08:45 AM	4	2	12	10	18	11	78	11	3	100	10	6	13	5	29	12	101	13	8	126	26	273	29
Total	15	22	36	15	73	46	331	17	8	394	23	31	37	21	91	44	495	32	12	571	56	1129	118
04:00 PM	11	12	23	7	46	11	142	10	3	163	17	14	53	27	84	18	111	8	8	137	45	430	47
04:15 PM	5	18	21	11	44	7	101	16	14	124	18	9	41	26	68	15	103	10	5	128	56	364	42
04:30 PM	9	18	12	4	39	10	151	13	10	174	13	12	26	9	51	24	108	3	9	135	32	399	43
04:45 PM	14	21	17	17	52	7	121	15	10	143	17	8	31	20	56	19	118	8	6	145	53	396	44
Total	39	69	73	39	181	35	515	54	37	604	65	43	151	82	259	76	440	29	28	545	186	1589	177
05:00 PM	21	39	11	11	71	7	162	14	8	183	23	20	46	10	89	13	123	8	3	144	32	487	51
05:15 PM	14	16	12	7	42	7	148	10	9	165	21	10	54	9	85	21	111	8	9	140	34	432	46
05:30 PM	11	20	13	2	44	2	146	6	9	154	12	9	29	1	50	8	130	5	4	143	16	391	40
05:45 PM	0	21	13	2	34	6	132	15	6	153	11	18	37	0	66	11	121	4	1	136	9	389	39
Total	46	96	49	22	191	22	588	45	32	655	67	57	166	20	290	53	485	25	17	563	91	1699	179
Grand Total	109	217	182	86	508	134	1689	128	79	1951	177	156	392	134	725	219	1929	95	65	2243	364	5427	579
Apprch %	21.5	42.7	35.8			6.9	86.6	6.6			24.4	21.5	54.1			9.8	86	4.2					
Total %	2	4	3.4		9.4	2.5	31.1	2.4		35.9	3.3	2.9	7.2		13.4	4	35.5	1.8		41.3	6.3	93.7	
Cars	107	212	180		585	133	1660	125		1997	166	154	387		841	190	1888	95		2237	0	0	566
% Cars	98.2	97.7	98.9	100	98.5	99.3	98.3	97.7	100	98.4	93.8	98.7	98.7	100	97.9	86.8	97.9	100	98.5	96.9	0	0	97.
Trucks and Buses	1	1	1		3	0	26	3		29	10	0	4		14	28	39	0		67	0	0	11
% Trucks and Buses	0.9	0.5	0.5	0	0.5	0	1.5	2.3	0	1.4	5.6	0	1	0	1.6	12.8	2	0	0	2.9	0	0	0
Bicycles	1	4	1		6	1	3	0		4	1	2	1		4	1	2	0		4	0	0	1
% Bicycles	0.9	1.8	0.5	0	1	0.7	0.2	0	0	0.2	0.6	1.3	0.3	0	0.5	0.5	0.1	0	1.5	0.2	0	0	0.

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

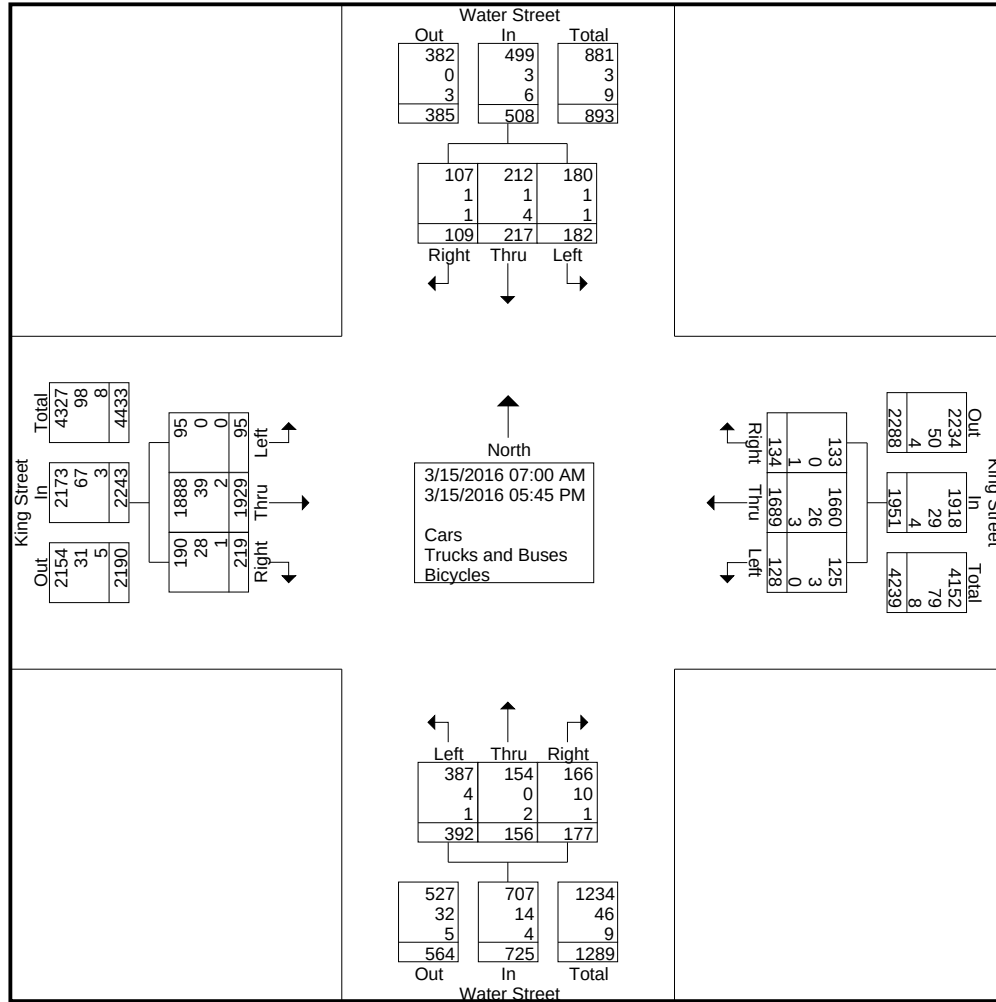
Ph:(336)744-1636

File Name : King Street at Water Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 2



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

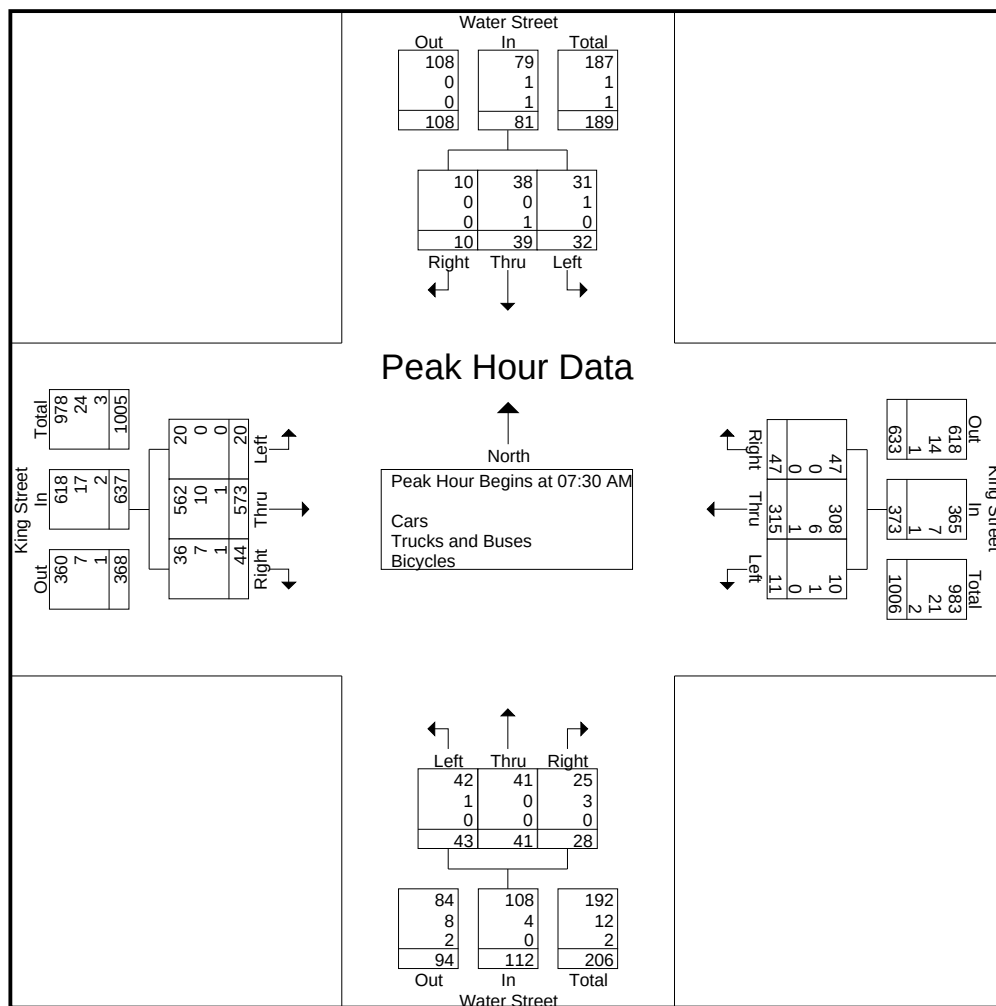
File Name : King Street at Water Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 3

	Water Street Southbound				King Street Westbound				Water Street Northbound				King Street Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	2	6	8	16	9	80	3	92	9	3	10	22	14	136	3	153	28
07:45 AM	5	19	9	33	17	73	4	94	7	17	16	40	10	164	5	179	34
08:00 AM	0	9	10	19	11	89	2	102	4	14	10	28	15	160	3	178	32
08:15 AM	3	5	5	13	10	73	2	85	8	7	7	22	5	113	9	127	24
Total Volume	10	39	32	81	47	315	11	373	28	41	43	112	44	573	20	637	120
% App. Total	12.3	48.1	39.5		12.6	84.5	2.9		25	36.6	38.4		6.9	90	3.1		
PHF	.500	.513	.800	.614	.691	.885	.688	.914	.778	.603	.672	.700	.733	.873	.556	.890	.86
Cars	10	38	31	79	47	308	10	365	25	41	42	108	36	562	20	618	117
% Cars	100	97.4	96.9	97.5	100	97.8	90.9	97.9	89.3	100	97.7	96.4	81.8	98.1	100	97.0	97
Trucks and Buses	0	0	1	1	0	6	1	7	3	0	1	4	7	10	0	17	2
% Trucks and Buses	0	0	3.1	1.2	0	1.9	9.1	1.9	10.7	0	2.3	3.6	15.9	1.7	0	2.7	2
Bicycles	0	1	0	1	0	1	0	1	0	0	0	0	1	1	0	2	
% Bicycles	0	2.6	0	1.2	0	0.3	0	0.3	0	0	0	0	2.3	0.2	0	0.3	0



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

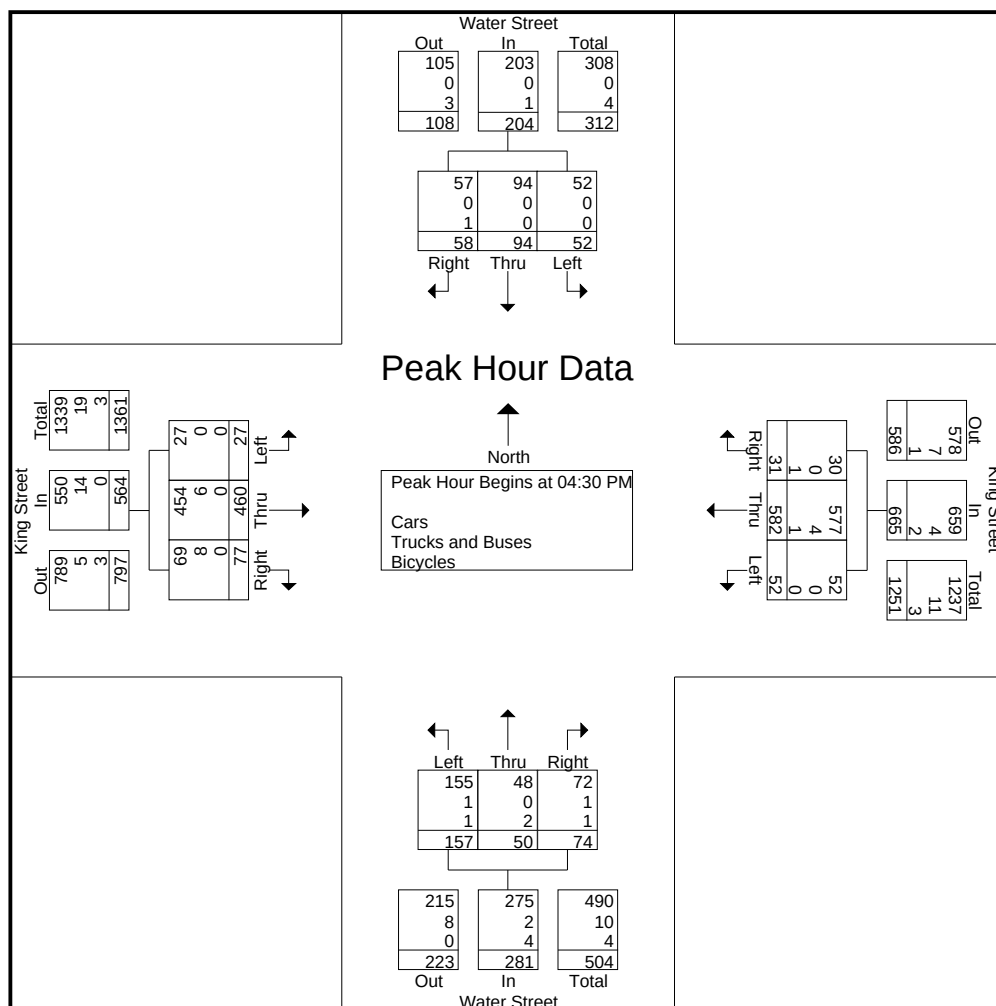
File Name : King Street at Water Street

Site Code : 00160023

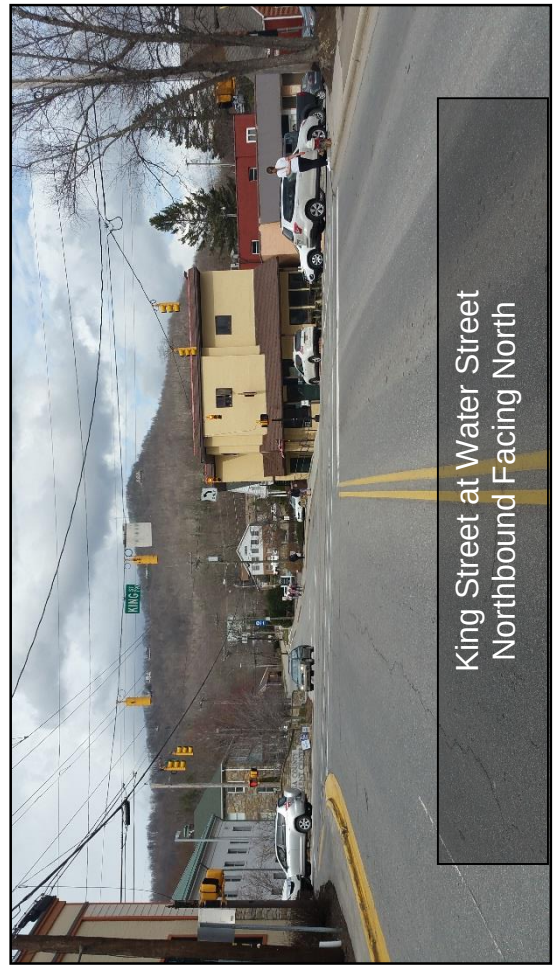
Start Date : 3/15/2016

Page No : 4

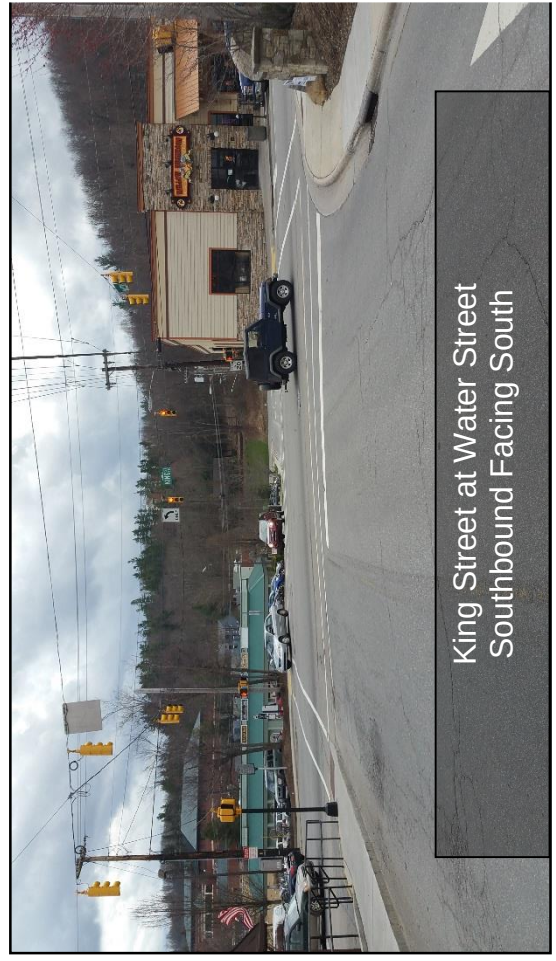
	Water Street Southbound				King Street Westbound				Water Street Northbound				King Street Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	9	18	12	39	10	151	13	174	13	12	26	51	24	108	3	135	39
04:45 PM	14	21	17	52	7	121	15	143	17	8	31	56	19	118	8	145	39
05:00 PM	21	39	11	71	7	162	14	183	23	20	46	89	13	123	8	144	48
05:15 PM	14	16	12	42	7	148	10	165	21	10	54	85	21	111	8	140	43
Total Volume	58	94	52	204	31	582	52	665	74	50	157	281	77	460	27	564	171
% App. Total	28.4	46.1	25.5		4.7	87.5	7.8		26.3	17.8	55.9		13.7	81.6	4.8		
PHF	.690	.603	.765	.718	.775	.898	.867	.908	.804	.625	.727	.789	.802	.935	.844	.972	.86
Cars	57	94	52	203	30	577	52	659	72	48	155	275	69	454	27	550	168
% Cars	98.3	100	100	99.5	96.8	99.1	100	99.1	97.3	96.0	98.7	97.9	89.6	98.7	100	97.5	98
Trucks and Buses	0	0	0	0	0	4	0	4	1	0	1	2	8	6	0	14	2
% Trucks and Buses	0	0	0	0	0	0.7	0	0.6	1.4	0	0.6	0.7	10.4	1.3	0	2.5	1
Bicycles	1	0	0	1	1	1	0	2	1	2	1	4	0	0	0	0	0
% Bicycles	1.7	0	0	0.5	3.2	0.2	0	0.3	1.4	4.0	0.6	1.4	0	0	0	0	0



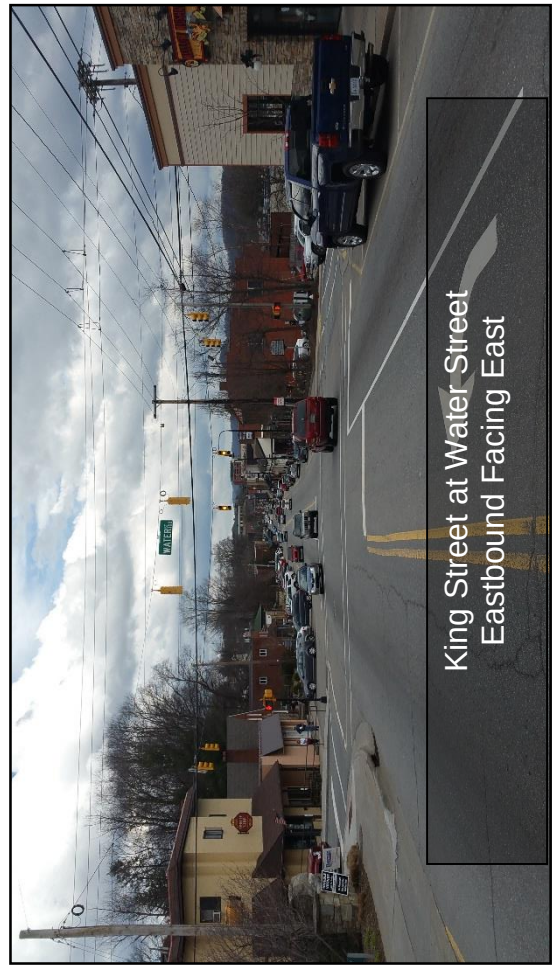
DAVENPORT Project No. 160023
King Street at Water Street, Boone, NC



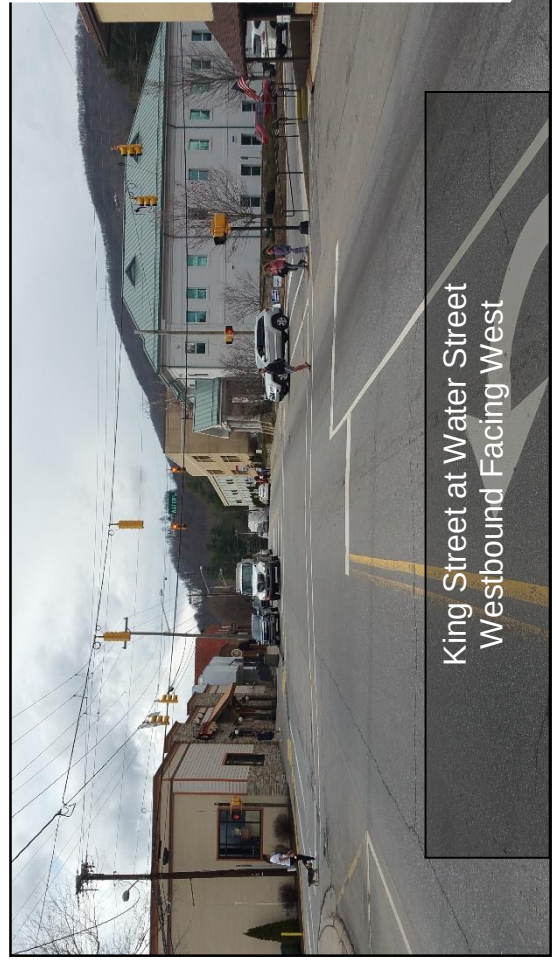
King Street at Water Street
Northbound Facing North



King Street at Water Street
Southbound Facing South



King Street at Water Street
Eastbound Facing East



King Street at Water Street
Westbound Facing West

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

Counted by: K. Kim

File Name : Water Street at Howard Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 1

Weather: Clear

Groups Printed- Cars - Trucks and Buses - Bicycles

	Water Street Southbound					Howard Street Westbound					Water Street Northbound					Access Road Eastbound							
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Exclu. Total	Inclu. Total	Int. Tot
07:00 AM	1	12	0	0	13	1	0	0	2	1	0	7	0	0	7	2	0	0	0	2	2	23	2
07:15 AM	1	17	0	1	18	1	0	0	0	1	0	12	0	0	12	0	0	0	0	0	1	31	3
07:30 AM	0	24	0	1	24	2	0	0	16	2	0	20	1	2	21	0	0	0	0	0	19	47	6
07:45 AM	0	32	2	0	34	1	0	2	2	3	0	33	0	3	33	2	0	0	0	2	5	72	7
Total	2	85	2	2	89	5	0	2	20	7	0	72	1	5	73	4	0	0	0	4	27	173	20
08:00 AM	0	23	0	0	23	1	0	0	3	1	0	24	0	2	24	1	0	0	0	1	5	49	5
08:15 AM	0	11	0	5	11	4	0	1	0	5	0	15	1	1	16	1	0	0	0	1	6	33	3
08:30 AM	0	18	0	2	18	1	1	1	9	3	0	13	3	3	16	1	0	0	2	1	16	38	5
08:45 AM	1	26	0	2	27	3	0	0	5	3	0	23	2	2	25	0	0	3	0	3	9	58	6
Total	1	78	0	9	79	9	1	2	17	12	0	75	6	8	81	3	0	3	2	6	36	178	21
04:00 PM	0	38	0	3	38	7	0	4	7	11	0	71	4	3	75	2	0	2	2	4	15	128	14
04:15 PM	0	47	0	5	47	13	1	3	12	17	0	52	2	1	54	1	0	0	0	1	18	119	13
04:30 PM	0	60	0	8	60	7	0	9	10	16	0	49	2	5	51	3	0	2	1	5	24	132	15
04:45 PM	1	57	0	11	58	12	0	5	7	17	0	58	2	7	60	5	0	1	2	6	27	141	16
Total	1	202	0	27	203	39	1	21	36	61	0	230	10	16	240	11	0	5	5	16	84	520	60
05:00 PM	0	72	1	4	73	15	0	11	16	26	0	63	4	1	67	2	0	0	4	2	25	168	19
05:15 PM	2	48	0	3	50	15	0	5	10	20	0	72	5	3	77	8	0	0	7	8	23	155	17
05:30 PM	0	45	1	7	46	10	0	2	3	12	0	59	2	6	61	1	0	1	1	2	17	121	13
05:45 PM	0	55	0	3	55	11	0	9	15	20	0	57	2	3	59	1	0	1	0	2	21	136	15
Total	2	220	2	17	224	51	0	27	44	78	0	251	13	13	264	12	0	2	12	14	86	580	66
Grand Total	6	585	4	55	595	104	2	52	117	158	0	628	30	42	658	30	0	10	19	40	233	1451	168
Apprch %	1	98.3	0.7			65.8	1.3	32.9			0	95.4	4.6			75	0	25					
Total %	0.4	40.3	0.3		41	7.2	0.1	3.6		10.9	0	43.3	2.1		45.3	2.1	0	0.7		2.8	13.8	86.2	
Cars	5	551	0		611	99	2	51		269	0	610	29		681	29	0	10		58	0	0	161
% Cars	83.3	94.2	0	100	94	95.2	100	98.1	100	97.8	0	97.1	96.7	100	97.3	96.7	0	100	100	98.3	0	0	96
Trucks and Buses	1	29	0		30	1	0	0		1	0	15	0		15	1	0	0		1	0	0	4
% Trucks and Buses	16.7	5	0	0	4.6	1	0	0	0	0.4	0	2.4	0	0	2.1	3.3	0	0	0	1.7	0	0	2
Bicycles	0	5	4		9	4	0	1		5	0	3	1		4	0	0	0		0	0	0	1
% Bicycles	0	0.9	100	0	1.4	3.8	0	1.9	0	1.8	0	0.5	3.3	0	0.6	0	0	0	0	0	0	0	1

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

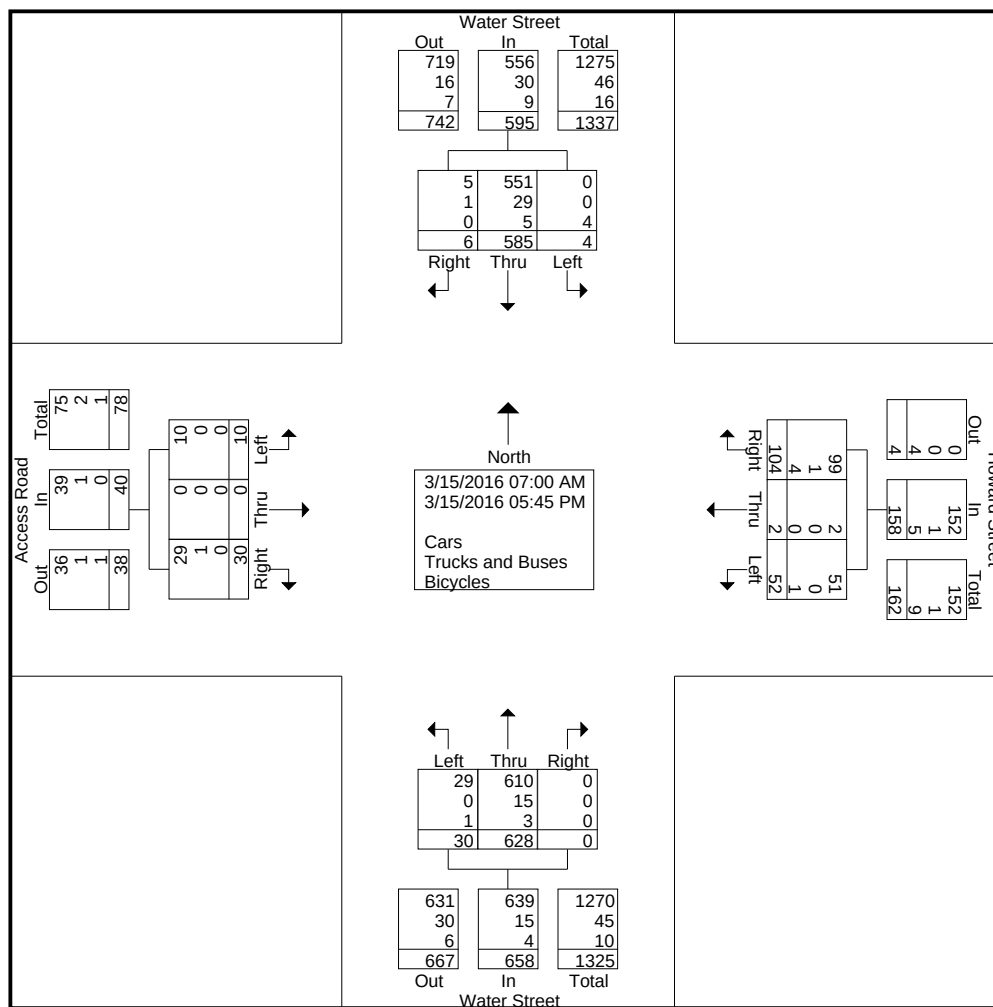
Ph:(336)744-1636

File Name : Water Street at Howard Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 2



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

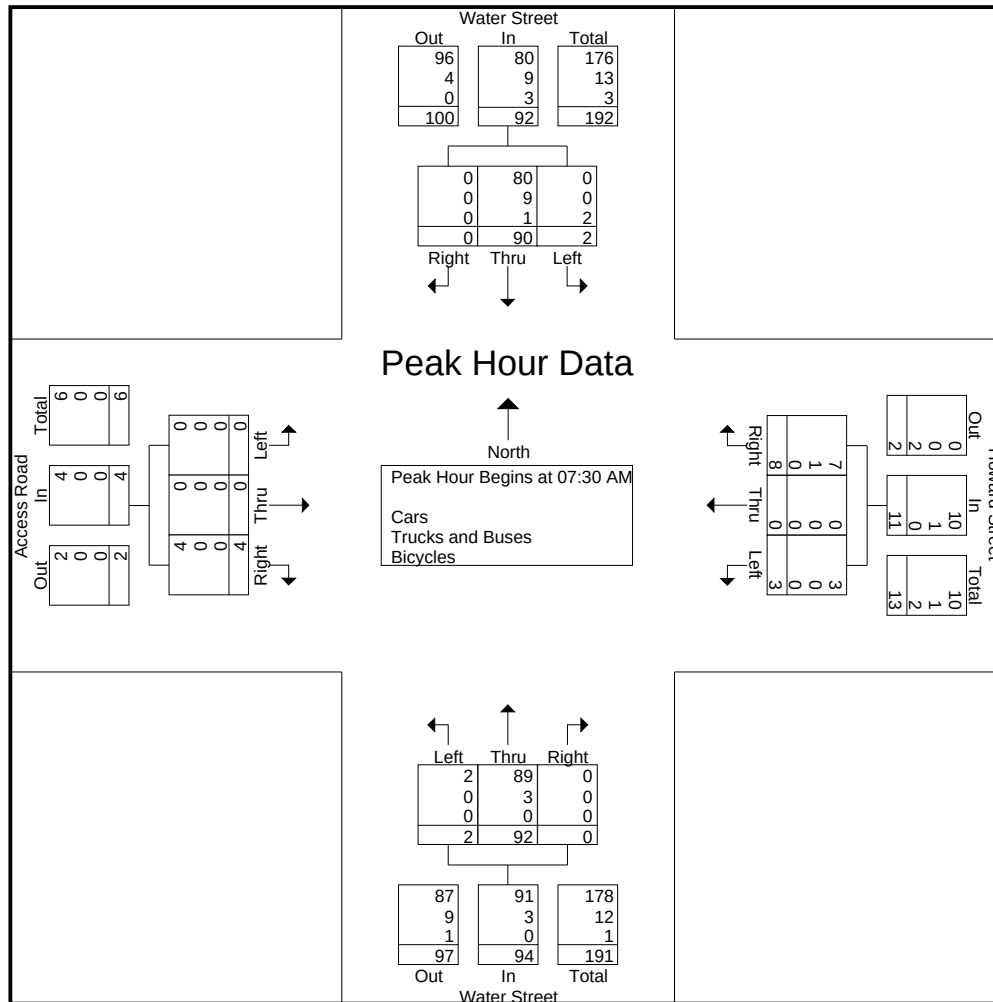
File Name : Water Street at Howard Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 3

	Water Street Southbound				Howard Street Westbound				Water Street Northbound				Access Road Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	0	24	0	24	2	0	0	2	0	20	1	21	0	0	0	0	4
07:45 AM	0	32	2	34	1	0	2	3	0	33	0	33	2	0	0	2	7
08:00 AM	0	23	0	23	1	0	0	1	0	24	0	24	1	0	0	1	4
08:15 AM	0	11	0	11	4	0	1	5	0	15	1	16	1	0	0	1	3
Total Volume	0	90	2	92	8	0	3	11	0	92	2	94	4	0	0	4	20
% App. Total	0	97.8	2.2		72.7	0	27.3		0	97.9	2.1		100	0	0		
PHF	.000	.703	.250	.676	.500	.000	.375	.550	.000	.697	.500	.712	.500	.000	.000	.500	.699
Cars	0	80	0	80	7	0	3	10	0	89	2	91	4	0	0	4	18
% Cars	0	88.9	0	87.0	87.5	0	100	90.9	0	96.7	100	96.8	100	0	0	100	92
Trucks and Buses	0	9	0	9	1	0	0	1	0	3	0	3	0	0	0	0	1
% Trucks and Buses	0	10.0	0	9.8	12.5	0	0	9.1	0	3.3	0	3.2	0	0	0	0	6
Bicycles	0	1	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0
% Bicycles	0	1.1	100	3.3	0	0	0	0	0	0	0	0	0	0	0	0	1



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

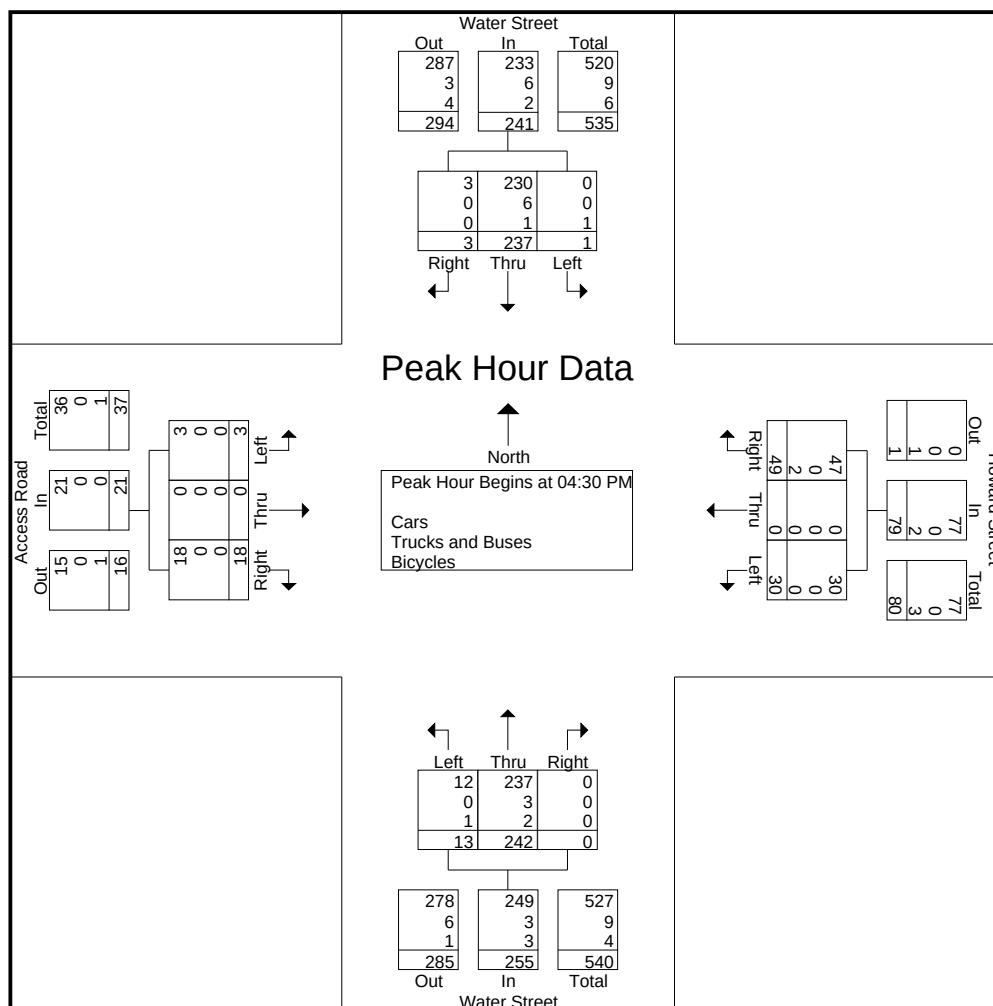
File Name : Water Street at Howard Street

Site Code : 00160023

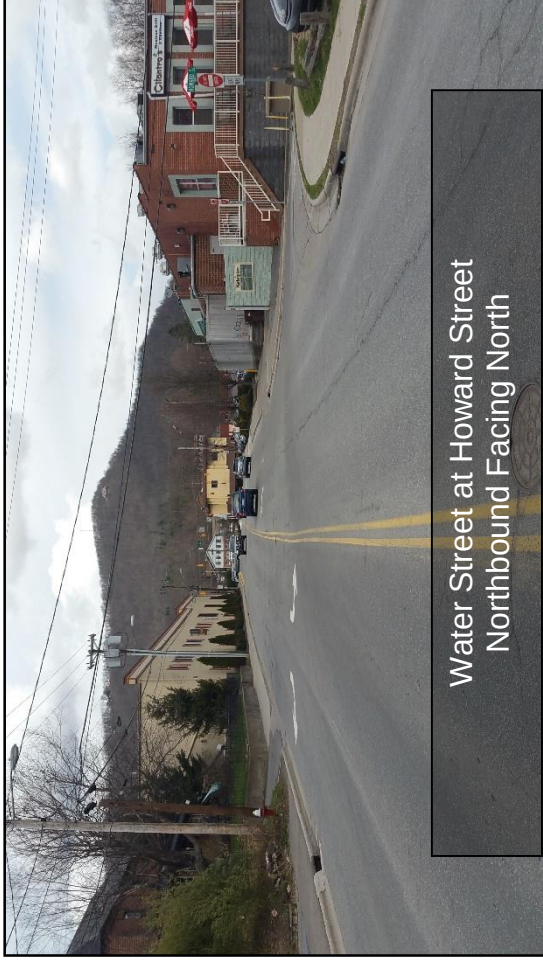
Start Date : 3/15/2016

Page No : 4

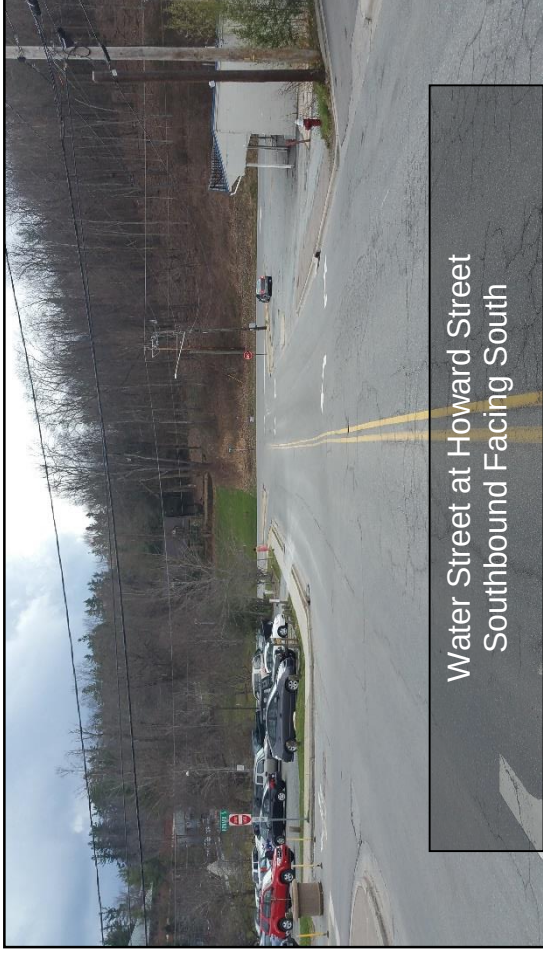
	Water Street Southbound				Howard Street Westbound				Water Street Northbound				Access Road Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	0	60	0	60	7	0	9	16	0	49	2	51	3	0	2	5	13
04:45 PM	1	57	0	58	12	0	5	17	0	58	2	60	5	0	1	6	14
05:00 PM	0	72	1	73	15	0	11	26	0	63	4	67	2	0	0	2	16
05:15 PM	2	48	0	50	15	0	5	20	0	72	5	77	8	0	0	8	15
Total Volume	3	237	1	241	49	0	30	79	0	242	13	255	18	0	3	21	59
% App. Total	1.2	98.3	0.4		62	0	38		0	94.9	5.1		85.7	0	14.3		
PHF	.375	.823	.250	.825	.817	.000	.682	.760	.000	.840	.650	.828	.563	.000	.375	.656	.86
Cars	3	230	0	233	47	0	30	77	0	237	12	249	18	0	3	21	58
% Cars	100	97.0	0	96.7	95.9	0	100	97.5	0	97.9	92.3	97.6	100	0	100	100	97
Trucks and Buses	0	6	0	6	0	0	0	0	0	3	0	3	0	0	0	0	0
% Trucks and Buses	0	2.5	0	2.5	0	0	0	0	0	1.2	0	1.2	0	0	0	0	1
Bicycles	0	1	1	2	2	0	0	2	0	2	1	3	0	0	0	0	1
% Bicycles	0	0.4	100	0.8	4.1	0	0	2.5	0	0.8	7.7	1.2	0	0	0	0	1



DAVENPORT Project No. 160023
Water Street at Howard Street, Boone, NC



Water Street at Howard Street
Northbound Facing North



Water Street at Howard Street
Southbound Facing South



Water Street at Howard Street
Eastbound Facing East



Water Street at Howard Street
Westbound Facing West

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

Counted By: N. Baskett

File Name : Water Street at Rivers Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 1

Weather: Clear

Groups Printed- Cars - Trucks - Bikes

	Water Street Southbound					Rivers Street Westbound					T-Intersection Northbound					Poplar Grove Road Eastbound							
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Exclu. Total	Inclu. Total	Int. Tot
07:00 AM	2	0	12	2	14	5	7	0	0	12	0	0	0	0	0	0	30	1	0	31	2	57	5
07:15 AM	3	0	12	0	15	12	9	0	0	21	0	0	0	0	0	0	37	5	0	42	0	78	7
07:30 AM	4	0	21	20	25	11	17	0	0	28	0	0	0	1	0	0	66	6	0	72	21	125	14
07:45 AM	7	0	27	3	34	27	36	0	0	63	0	0	0	1	0	0	86	11	0	97	4	194	19
Total	16	0	72	25	88	55	69	0	0	124	0	0	0	2	0	0	219	23	0	242	27	454	48
08:00 AM	9	0	19	4	28	15	29	0	1	44	0	0	0	1	0	0	61	7	0	68	6	140	14
08:15 AM	5	0	8	1	13	13	21	0	1	34	0	0	0	0	0	0	49	8	0	57	2	104	10
08:30 AM	6	0	15	9	21	11	19	0	0	30	0	0	0	0	0	0	54	2	0	56	9	107	11
08:45 AM	4	0	21	3	25	18	22	0	1	40	0	0	0	0	0	0	44	11	0	55	4	120	12
Total	24	0	63	17	87	57	91	0	3	148	0	0	0	1	0	0	208	28	0	236	21	471	49
04:00 PM	8	0	43	7	51	68	49	0	1	117	0	0	0	0	0	0	44	14	0	58	8	226	23
04:15 PM	10	0	54	7	64	48	41	0	0	89	0	0	0	0	0	0	44	6	0	50	7	203	21
04:30 PM	14	0	64	10	78	36	44	0	0	80	0	0	0	1	0	0	62	13	0	75	11	233	24
04:45 PM	14	0	56	10	70	47	75	0	0	122	0	0	0	1	0	0	77	10	0	87	11	279	29
Total	46	0	217	34	263	199	209	0	1	408	0	0	0	2	0	0	227	43	0	270	37	941	97
05:00 PM	20	0	74	11	94	57	80	0	0	137	0	0	0	0	0	0	80	13	0	93	11	324	33
05:15 PM	15	0	51	7	66	56	46	0	0	102	0	0	0	0	0	0	74	8	0	82	7	250	25
05:30 PM	7	0	40	6	47	47	63	0	0	110	0	0	0	0	0	0	49	4	0	53	6	210	21
05:45 PM	14	0	58	12	72	42	42	0	0	84	0	0	0	2	0	0	51	11	1	62	15	218	23
Total	56	0	223	36	279	202	231	0	0	433	0	0	0	2	0	0	254	36	1	290	39	1002	104
Grand Total	142	0	575	112	717	513	600	0	4	1113	0	0	0	7	0	0	908	130	1	1038	124	2868	299
Apprch %	19.8	0	80.2			46.1	53.9	0			0	0	0			0	87.5	12.5					
Total %	5	0	20		25	17.9	20.9	0		38.8	0	0	0		0	0	31.7	4.5		36.2	4.1	95.9	
Cars	139	0	541		792	498	590	0		1092	0	0	0		7	0	901	128		1030	0	0	292
% Cars	97.9	0	94.1	100	95.5	97.1	98.3	0	100	97.8	0	0	0	100	100	0	99.2	98.5	100	99.1	0	0	97.1
Trucks	3	0	27		30	13	10	0		23	0	0	0		0	0	7	2		9	0	0	6
% Trucks	2.1	0	4.7	0	3.6	2.5	1.7	0	0	2.1	0	0	0	0	0	0	0.8	1.5	0	0.9	0	0	2.9
Bikes	0	0	7		7	2	0	0		2	0	0	0		0	0	0	0		0	0	0	
% Bikes	0	0	1.2	0	0.8	0.4	0	0	0	0.2	0	0	0	0	0	0	0	0	0	0	0	0	0.1

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

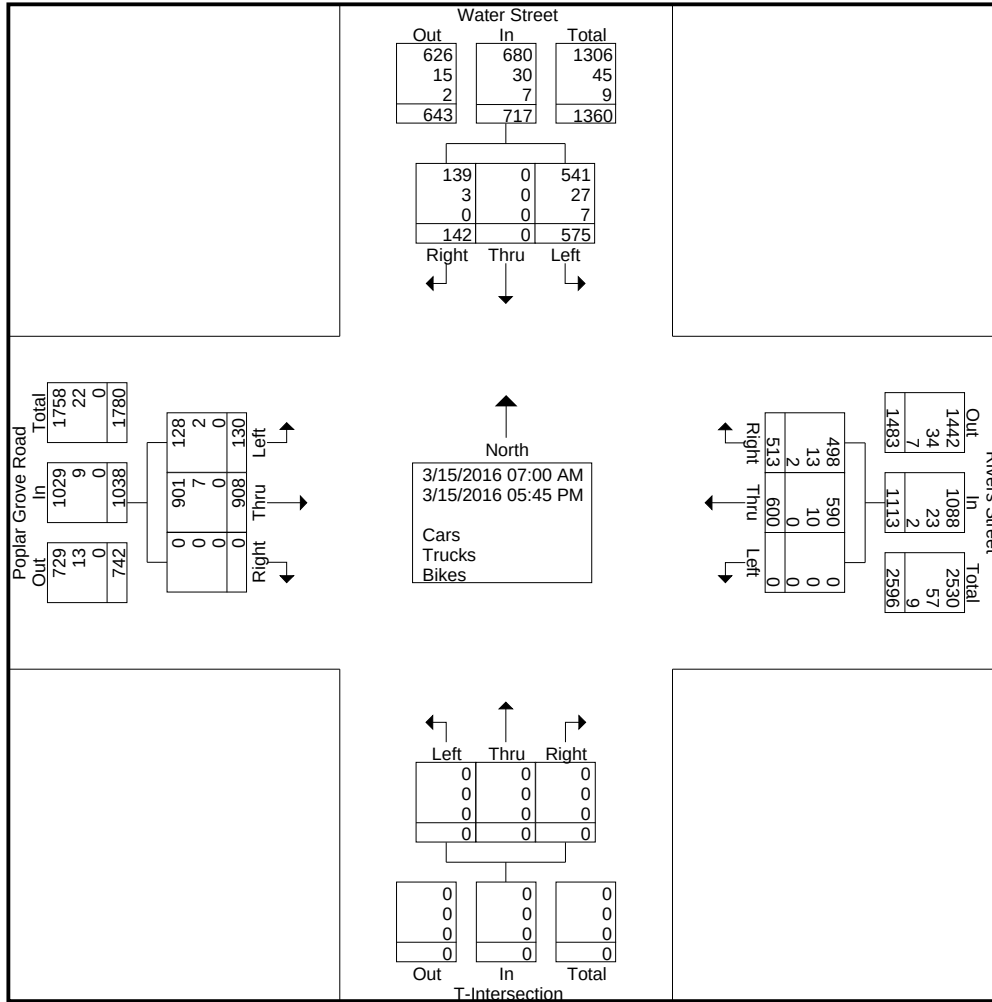
Ph:(336)744-1636

File Name : Water Street at Rivers Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 2



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

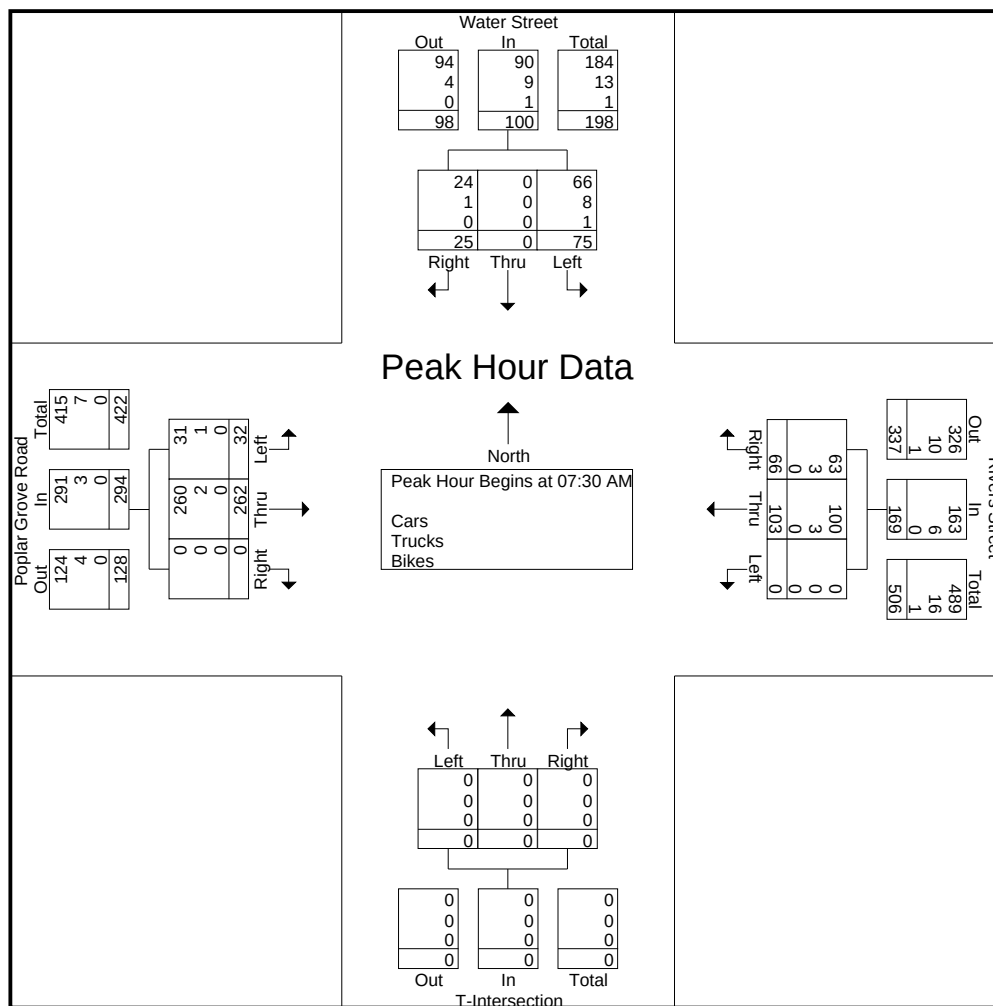
File Name : Water Street at Rivers Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 3

	Water Street Southbound				Rivers Street Westbound				T-Intersection Northbound				Poplar Grove Road Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	4	0	21	25	11	17	0	28	0	0	0	0	0	66	6	72	144
07:45 AM	7	0	27	34	27	36	0	63	0	0	0	0	0	86	11	97	194
08:00 AM	9	0	19	28	15	29	0	44	0	0	0	0	0	61	7	68	144
08:15 AM	5	0	8	13	13	21	0	34	0	0	0	0	0	49	8	57	114
Total Volume	25	0	75	100	66	103	0	169	0	0	0	0	0	262	32	294	594
% App. Total	25	0	75		39.1	60.9	0		0	0	0	0	0	89.1	10.9		
PHF	.694	.000	.694	.735	.611	.715	.000	.671	.000	.000	.000	.000	.000	.762	.727	.758	.72
Cars	24	0	66	90	63	100	0	163	0	0	0	0	0	260	31	291	544
% Cars	96.0	0	88.0	90.0	95.5	97.1	0	96.4	0	0	0	0	0	99.2	96.9	99.0	96.4
Trucks	1	0	8	9	3	3	0	6	0	0	0	0	0	2	1	3	14
% Trucks	4.0	0	10.7	9.0	4.5	2.9	0	3.6	0	0	0	0	0	0.8	3.1	1.0	3.6
Bikes	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
% Bikes	0	0	1.3	1.0	0	0	0	0	0	0	0	0	0	0	0	0	0



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

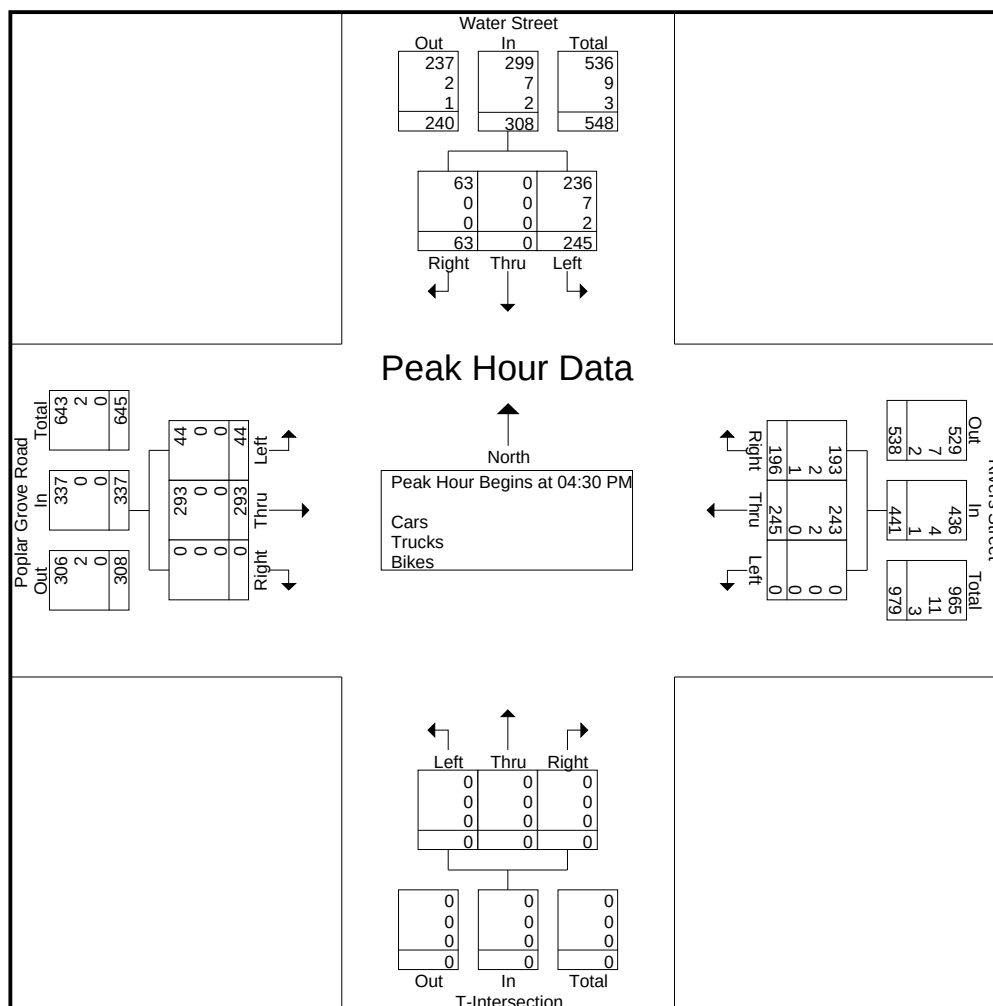
File Name : Water Street at Rivers Street

Site Code : 00160023

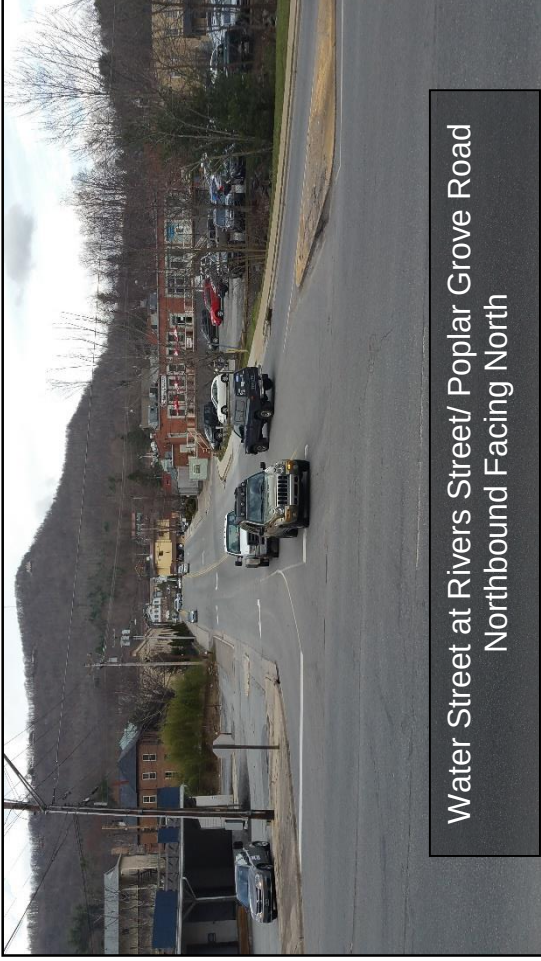
Start Date : 3/15/2016

Page No : 4

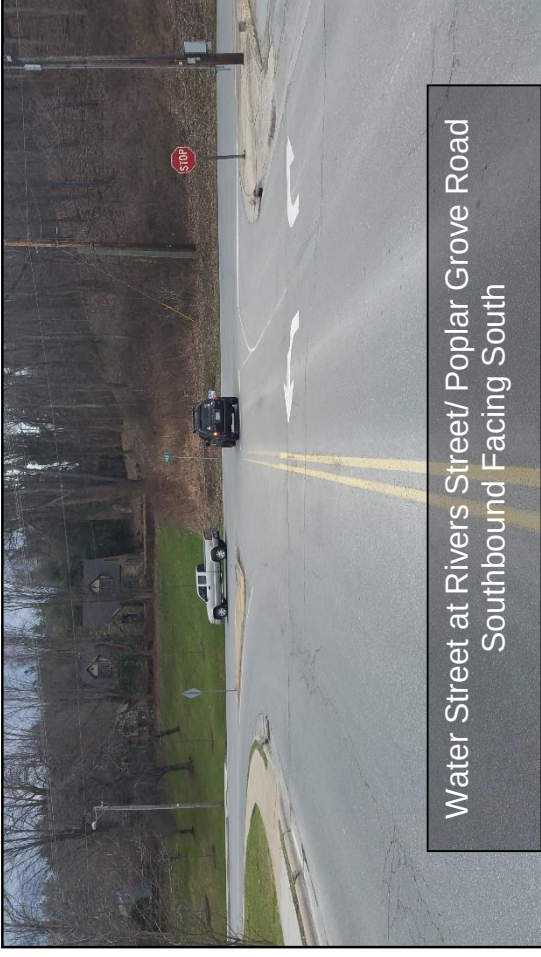
	Water Street Southbound				Rivers Street Westbound				T-Intersection Northbound				Poplar Grove Road Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	14	0	64	78	36	44	0	80	0	0	0	0	0	62	13	75	237
04:45 PM	14	0	56	70	47	75	0	122	0	0	0	0	0	77	10	87	277
05:00 PM	20	0	74	94	57	80	0	137	0	0	0	0	0	80	13	93	323
05:15 PM	15	0	51	66	56	46	0	102	0	0	0	0	0	74	8	82	255
Total Volume	63	0	245	308	196	245	0	441	0	0	0	0	0	293	44	337	1068
% App. Total	20.5	0	79.5		44.4	55.6	0		0	0	0		0	86.9	13.1		
PHF	.788	.000	.828	.819	.860	.766	.000	.805	.000	.000	.000	.000	.000	.916	.846	.906	.833
Cars	63	0	236	299	193	243	0	436	0	0	0	0	0	293	44	337	1067
% Cars	100	0	96.3	97.1	98.5	99.2	0	98.9	0	0	0	0	0	100	100	100	98.9
Trucks	0	0	7	7	2	2	0	4	0	0	0	0	0	0	0	0	1
% Trucks	0	0	2.9	2.3	1.0	0.8	0	0.9	0	0	0	0	0	0	0	0	1
Bikes	0	0	2	2	1	0	0	1	0	0	0	0	0	0	0	0	0
% Bikes	0	0	0.8	0.6	0.5	0	0	0.2	0	0	0	0	0	0	0	0	0



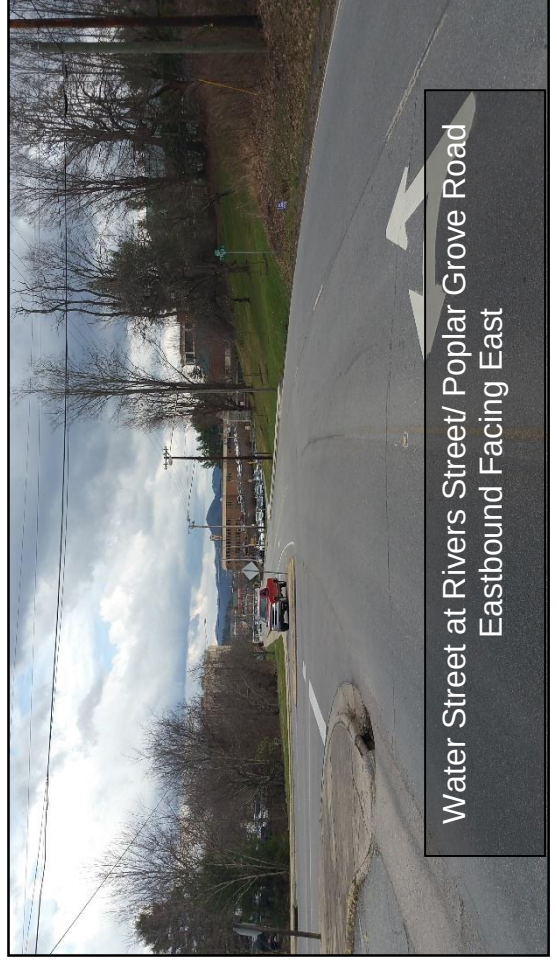
DAVENPORT Project No. 160023
Water Street at Rivers Street/ Poplar Grove Road, Boone, NC



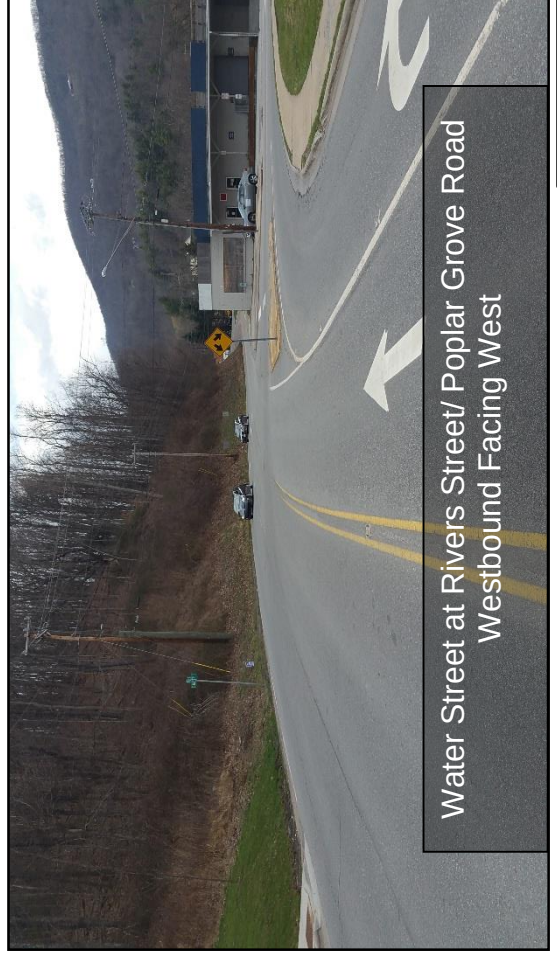
Water Street at Rivers Street/ Poplar Grove Road
Northbound Facing North



Water Street at Rivers Street/ Poplar Grove Road
Southbound Facing South



Water Street at Rivers Street/ Poplar Grove Road
Eastbound Facing East



Water Street at Rivers Street/ Poplar Grove Road
Westbound Facing West

100

King Street at Water Street									
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	20		20	21		21			21
EBT	573		573	596		596			596
EBR	44		44	46	7	53	1	6	60
WBL	11		11	11	13	24	2	16	42
WBT	315		315	328		328			328
WBR	47		47	49		49			49
NBL	43		43	45	6	51	1	5	57
NBT	41		41	43	2	45		3	47
NBR	28		28	29	14	43	4	18	65
SBL	32		32	33		33			33
SBT	39		39	41	2	43		3	46
SBR	10		10	10		10			10
Total	1203	0	1203	1252	44	1296	9		0
									1354

100

King Street at Water Street									
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	27		27	28		28			28
EBT	460		460	479		479			479
EBR	77		77	80	9	89	0	5	94
WBL	52		52	54	16	70	1	12	83
WBT	582		582	606		606			606
WBR	31		31	32		32			32
NBL	157		157	163	8	171	0	5	176
NBT	50	13	63	66	5	71		2	73
NBR	74		74	77	14	91	0	16	107
SBL	52		52	54		54			54
SBT	94	40	134	139	4	143		2	146
SBR	58		58	60		60			60
Total	1714	53	1767	1838	56	1894	2		0
									1938

200

Water Street at Howard Street									
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	0		0	0		0			0
EBT	0		0	0		0			0
EBR	4		4	4		4			4
WBL	3		3	3	1	4	2	8	14
WBT	0		0	0		0			0
WBR	8		8	8		8	1	5	15
NBL	2		2	2		2			2
NBT	92	12	104	108	21	129	5	22	156
NBR	0		0	0		0			0
SBL	0		0	0		0			0
SBT	90	4	94	98	22	120	6	18	143
SBR	0		0	0		0			0
Total	199	16	215	224	44	268	14		0
									334

200

Water Street at Howard Street									
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	3		3	3		3			3
EBT	0		0	0		0			0
EBR	18		18	19		19			19
WBL	30		30	31	2	33	0	7	40
WBT	0		0	0		0			0
WBR	49		49	51		51	0	5	56
NBL	13		13	14		14			14
NBT	242		242	252	27	279	2	17	298
NBR	0		0	0		0			0
SBL	0		0	0		0			0
SBT	237	23	260	271	31	302	0	16	318
SBR	3		3	3		3			3
Total	595	23	618	643	60	703	3		0
									751

300

Rivers Street/Poplar Grove Road at Water Street										
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL	32	4	36	37	19	56	2	9		68
EBT	252		252	262	21	283				283
EBR	0		0	0		0				0
WBL	0		0	0		0				0
WBT	103		103	107	23	130				130
WBR	66	4	70	73	1	74	3	12		90
NBL	0		0	0		0				0
NBT	0		0	0		0				0
NBR	0		0	0		0				0
SBL	75		75	78	1	79	6	18		102
SBT	0		0	0		0				0
SBR	25	1	26	27	21	48	2	8		58
Total	533	9	562	585	86	671	13		0	731

400

Water Street at Proposed Site Access 1										
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL			0	0		0				0
EBT			0	0		0				0
EBR			0	0		0				0
WBL			0	0		0	6	18	0	23
WBT			0	0		0				0
WBR			0	0		0	4	20	0	24
NBL			0	0		0				0
NBT	100	12	112	117	21	138	1	5	0	144
NBR			0	0		0	5	22	0	27
SBL			0	0		0	3	25	0	28
SBT	94	0	94	98	22	120			0	120
SBR			0	0		0				0
Total	194	12	206	214	43	257	19		0	366

300

Rivers Street/Poplar Grove Road at Water Street										
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL	44	8	52	54	26	80	1	7		88
EBT	293		293	305	25	330				330
EBR	0		0	0		0				0
WBL	0		0	0		0				0
WBT	245		245	255	32	287				287
WBR	195	8	203	211	1	212	1	9		223
NBL	0		0	0		0				0
NBT	0		0	0		0				0
NBR	0		0	0		0				0
SBL	245		245	255	0	255	0	16		271
SBT	0		0	0		0				0
SBR	63		63	66	31	97	0	7		104
Total	1085	16	1101	1145	115	1260	3		0	1303

400

Water Street at Proposed Site Access 1										
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL			0	0		0				0
EBT			0	0		0				0
EBR			0	0		0				0
WBL			0	0		0	0	16	29	46
WBT			0	0		0				0
WBR			0	0		0	0	19	24	43
NBL			0	0		0				0
NBT	294	0	294	306	27	333	0	5	-24	313
NBR			0	0		0	2	17	24	43
SBL			0	0		0	1	19	30	50
SBT	223	40	263	274	29	303			-30	273
SBR			0	0		0				0
Total	517	40	557	580	56	636	4		53	768

500

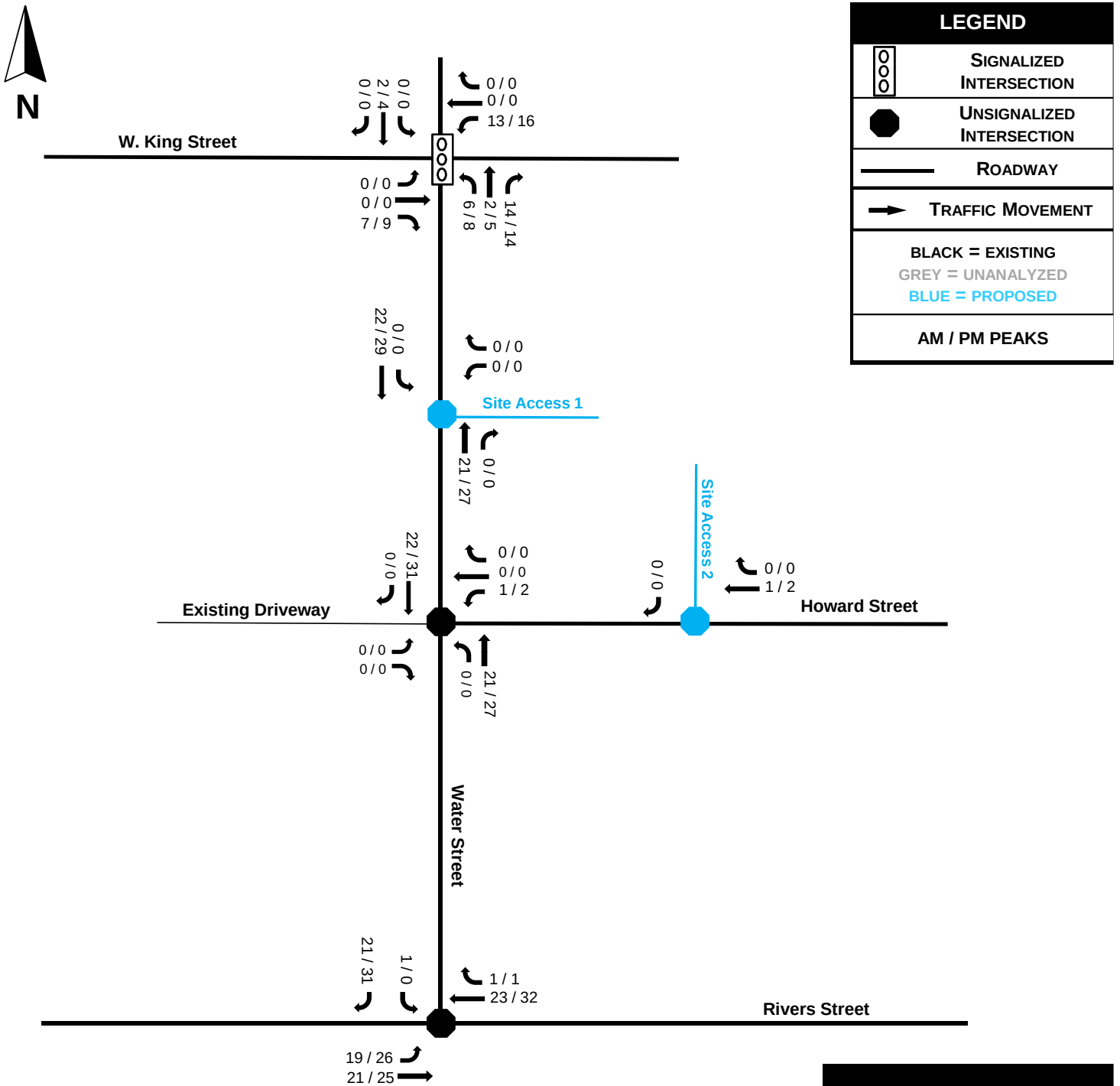
Howard Streer at Proposed Site Access 2										
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL			0	0		0				0
EBT			0	0		0				0
EBR			0	0		0				0
WBL			0	0		0				0
WBT	11	0	11	11	1	12				12
WBR			0	0		0	3	16		19
NBL			0	0		0				0
NBT			0	0		0				0
NBR			0	0		0				0
SBL			0	0		0				0
SBT			0	0		0				0
SBR			0	0		0	3	13		16
Total	11	0	11	11	1	12	6		0	47

500

Howard Streer at Proposed Site Access 2										
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL			0	0		0				0
EBT			0	0		0				0
EBR			0	0		0				0
WBL			0	0		0				0
WBT	79	0	79	82	2	84				84
WBR			0	0		0	1	12		13
NBL			0	0		0				0
NBT			0	0		0				0
NBR			0	0		0				0
SBL			0	0		0				0
SBT			0	0		0				0
SBR			0	0		0	0	12		12
Total	79	0	79	82	2	84	1		0	109



Supporting Documentation



**FIGURE A
APPROVED
DEVELOPMENTS**

MARKETPLACE DEVELOPMENT
BOONE, NC

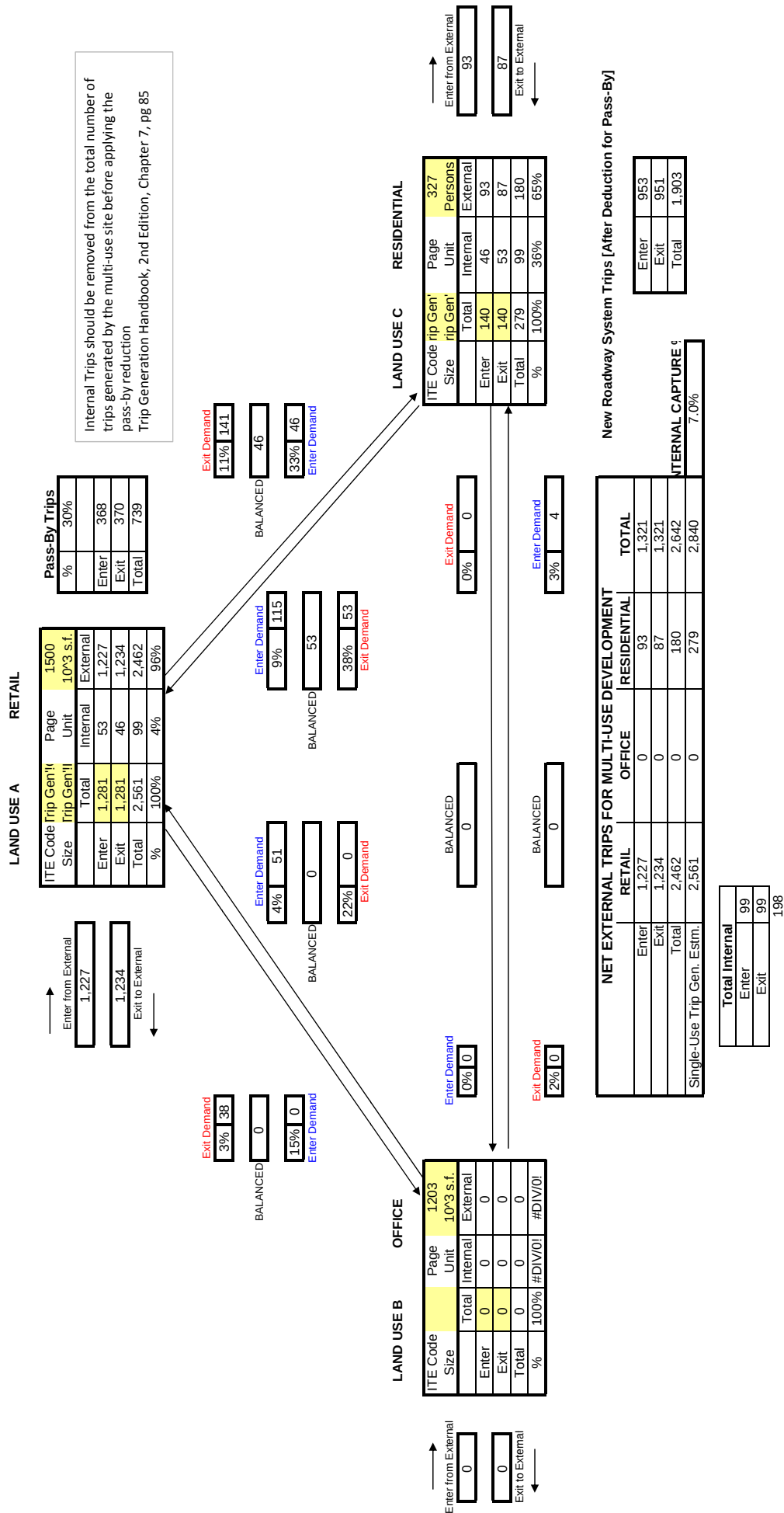
PROJECT NUMBER 160023



*** NOT TO SCALE ***

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Internal Capture: Daily



Internal Capture: PM Peak Hour of Adjacent Street

LAND USE A RETAIL

ITE Code	Trip Gen'tC	Page	1502
Size	Trip Gen'tC	Unit	10'3 s.f.
Enter	148	11	137
Exit	140	6	134
Total	288	17	271
%	100%	6%	94%

Enter from External
137
Exit to External
134

Pass-By Trips	%	34%
Enter	47	
Exit	45	
Total	92	

Internal Trips should be removed from the total number of trips generated by the multi-use site before applying the pass-by reduction
Trip Generation Handbook, 2nd Edition, Chapter 7, pg 85

Exit Demand
3% 4

BALANCED
0

Enter Demand
31% 0

BALANCED
0

Exit Demand
12% 17

BALANCED
6

Enter Demand
31% 6

BALANCED
11

LAND USE B OFFICE

ITE Code	Size	Page	1205
Unit	10'3 s.f.	Internal	External
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	100%	#DIV/0!	#DIV/0!

Enter from External
0
Exit to External
0

Enter Demand
0% 0

BALANCED
0

Exit Demand
2% 0

BALANCED
0

LAND USE C RESIDENTIAL

ITE Code	Size	Page	329
Unit	10'3 s.f.	Internal	External
Enter	20	6	14
Exit	20	11	9
Total	40	17	23
%	100%	42%	58%

Enter from External
14
Exit to External
9

Exit Demand
0% 0

BALANCED
0

Enter Demand
2% 0

BALANCED
0

NET EXTERNAL TRIPS FOR MULTI-USE DEVELOPMENT

	RETAIL	OFFICE	RESIDENTIAL	TOTAL
Enter	137	0	14	151
Exit	134	0	9	143
Total	271	0	23	294
Single-Use Trip Gen. Estm.	288	0	40	328
TERMINAL CAPTURE				10.2%

Single-Use Trip Gen. Estm.

Total Internal	17
Enter	17
Exit	17

Enter	104
Exit	98
Total	202

New Roadway System Trips [After Deduction for Pass-By]

PROJECT DIRECTORY

DEVELOPER/OWNER
THE WINKLER ORGANIZATION
P.O. BOX 2675
BOONE, NC 28607
(828) 262-3431
CONTACT: MR. JOHN WINKLER

CIVIL ENGINEER
VALOR ENGINEERING, PLLC
215 BOONE HEIGHTS DR., SUITE 107
BOONE, NC 28607
(828) 262-9807
CONTACT: MR. JASON GASTON, P.E.

ARCHITECT
BRENT DAVIS ARCHITECTURE, INC.
189 SALLY STREET
BOONE, NC 28307
(828) 265-4848
CONTACT: MR. BRENT DAVIS, AIA

SURVEYOR
APPALACHIAN PROFESSIONAL LAND
SURVEYORS AND CONSULTANTS
1480 U.S. HIGHWAY 421 SOUTH
BOONE, NC 28607
(828) 264-0290
CONTACT: MR. DONALD MCNEIL

TOWN OF BOONE PLANNING & INSPECTIONS
567 WEST KING STREET
BOONE, NC 28607
(828) 268-6200
CONTACT: MRS. JANE SHOOK

PLANNED DISTRICT REZONING PLANS FOR:

Marketplace Mixed Use

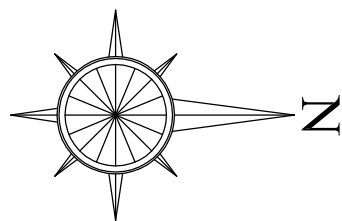
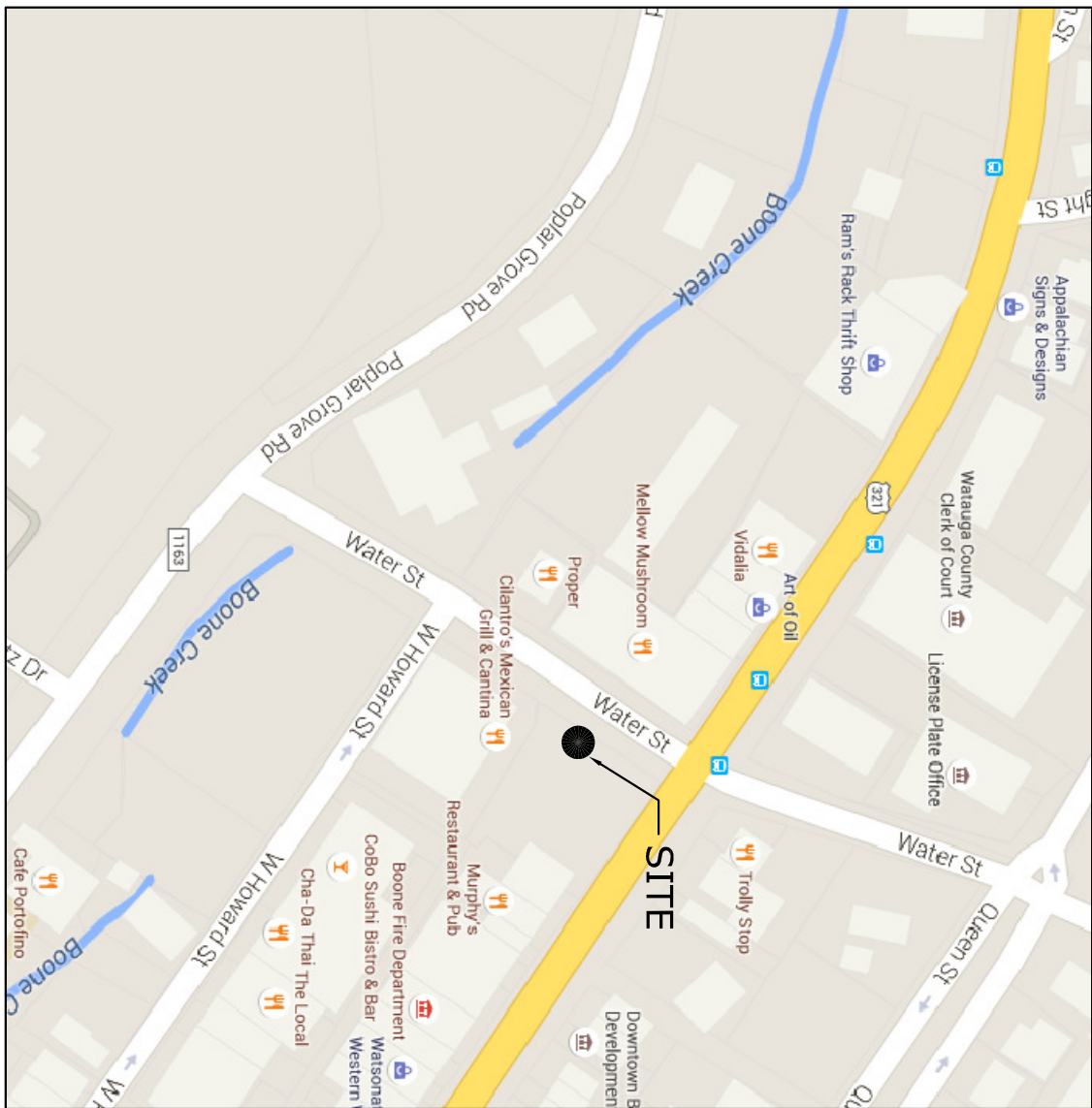
A Mixed Use Development

783 WEST KING STREET
BOONE, WATAUGA COUNTY, NC 28607

ZONED: B-1

PROPOSED ZONING: PD B-1

PARCELS #: 2900-79-7562-000, 2900-79-6480-000



VICINITY MAP
NOT TO SCALE

24 HR CONTACT: MR. JASON GASTON, P.E.

(828) 262-9807

PREPARED BY:



215 Boone Heights Drive Suite 107

Boone, NC 28607

828-262-9807

April 29, 2016

001-024

SHEET INDEX

G-1	COVER SHEET
V-1	SURVEY
CDR-1	PRELIMINARY SITE PLAN
CDR-2	PRELIMINARY GRADING & DRAINAGE PLAN
CDR-3	PRELIMINARY UTILITY PLAN
CDR-4	PRELIMINARY LANDSCAPE PLAN
PE1	PRELIMINARY LIGHTING PLAN
PE2	PRELIMINARY LIGHTING PLAN

Town of Boone
Planning & Inspections
Date Received
May 27, 2016

UTILITY PROVIDERS

NEW RIVER LIGHT AND POWER

COMPANY

WINKLER'S CREEK RD.

P.O. BOX 1130

BOONE, NC 28607

(828) 264-3671

CONTACT: MR. PHILIP HIATT

AT&T

1047 HARPER AVE.

LENOIR, NC 28645

(828) 754-0532

CONTACT: MR. DAVID MOORE

TOWN OF BOONE PUBLIC UTILITIES

321 EAST KING ST.

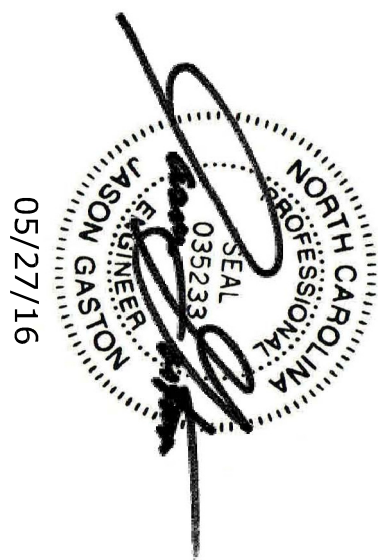
BOONE, NC 28607

(828) 268-6250

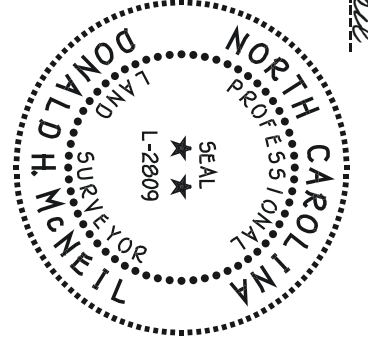
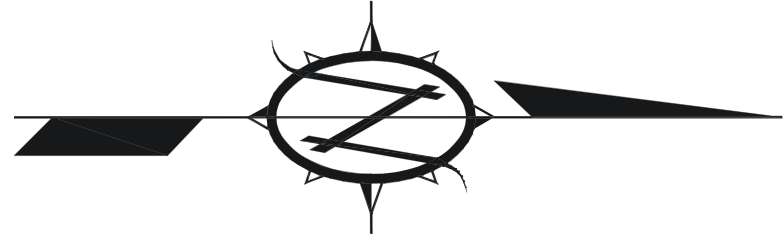
CONTACT: MR. JACK HARMON

FRONTIER NATURAL GAS
1927 NORTH BRIDGE ST.
ELKIN, NC 28621
(336) 366-7245
CONTACT: MR. ERNIE MCGUIRE

REVISIONS:			
NO.	DESCRIPTION:	BY:	DATE:
1	TOWN COMMENTS	JEG	05/27/16



- Notes:**
1. This is a boundary and topographic survey of the lands conveyed to Howard Street Ventures LLC by deed recorded in Book of Records 177 at page 267 of the North Carolina Public Deeds.
 2. Bearings are relative to the North Carolina Geodetic Survey (NAD 83 NGS65 2007) and have been rounded to the nearest five seconds.
 3. All distances are horizontal measurements and the areas has been calculated by the coordinate geometry method.
 4. The ratio of precision of the undisturbed field traverse is not more than 1:10,000 and has been adjusted by least squares method (GTA-Mer).
 5. This parcel is located in a zone X area outside the 102.5 annual chance of flooding flood area per the North Carolina Floodplain Mapping Program.
 6. Contour interval is one foot and the elevations are relative to NAVD 83.



This document originally issued and sealed by Donald H. McNeil, P.L.S., L-2809 on Sept. 17th, 2015. This medium shall not be considered a certified document.

Surveyor Certificate
I certify that this map was drawn under my supervision from an actual survey made under my supervision that the boundaries not shown are or other referenced source that the ratio of precision or positional accuracy is 1:10,000. Practice for Land Surveying in North Carolina (G.S. 86-600). This 17th day of September, 2015.

Donald H. McNeil
Donald H. McNeil, P.L.S., L-2809

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Appalachian Professional Land Surveyors & Consultants, P.A. C-2398
1480 US Highway 421 South / Boone, North Carolina 28607 / (828) 264-0290

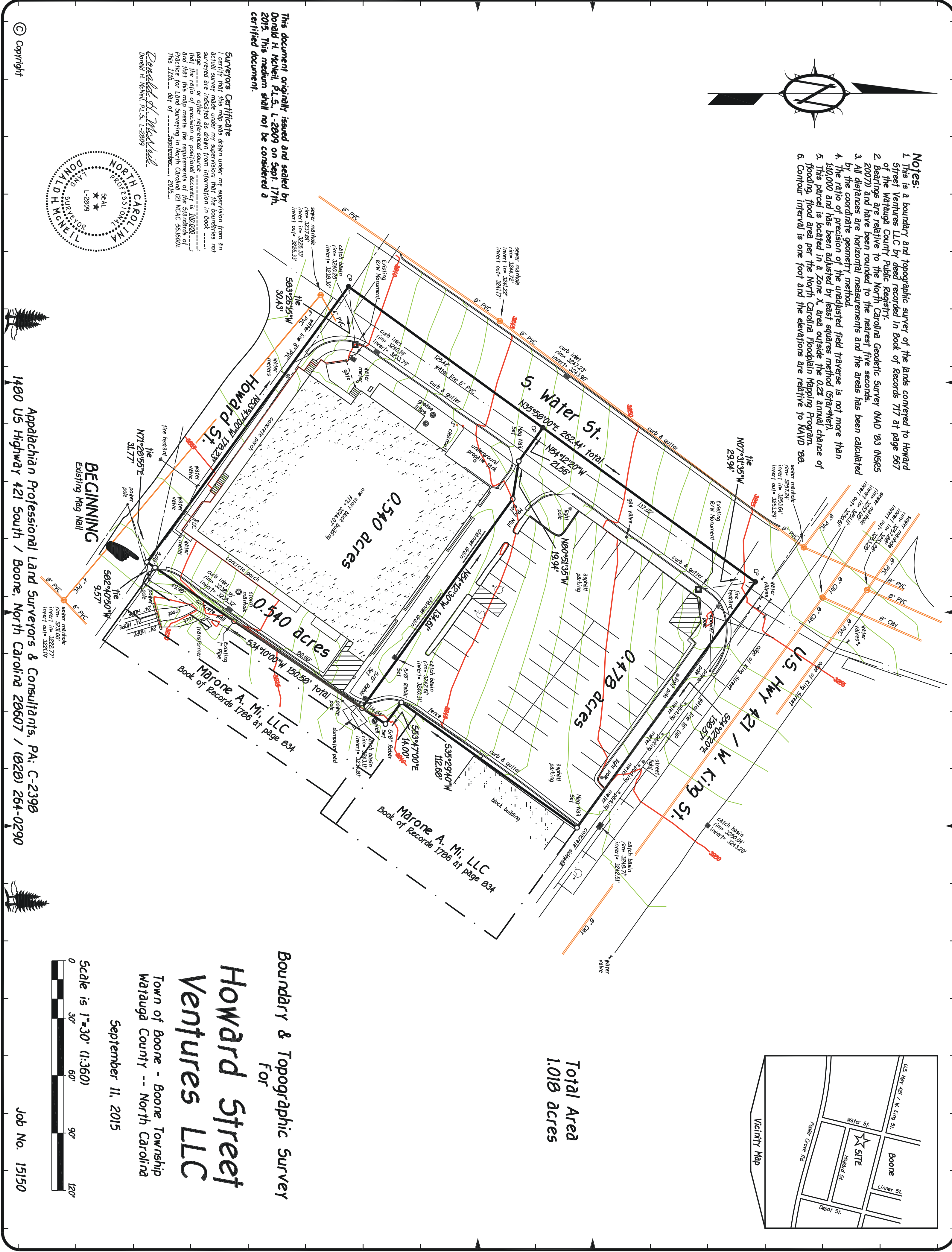
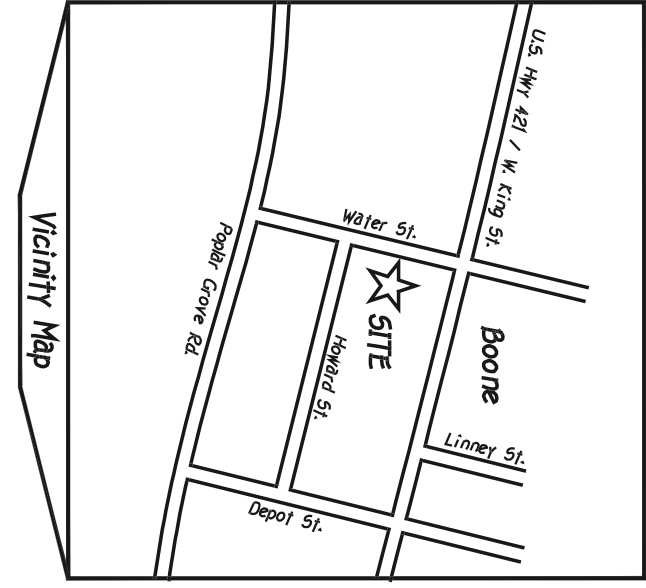
Scale is 1"=30' (1:360)
0 30' 60' 90' 120'

September 11, 2015

**Howard Street
Ventures LLC**
Town of Boone - Boone Township
Watauga County -- North Carolina

Boundary & Topographic Survey
For

Total Area
1.018 acres



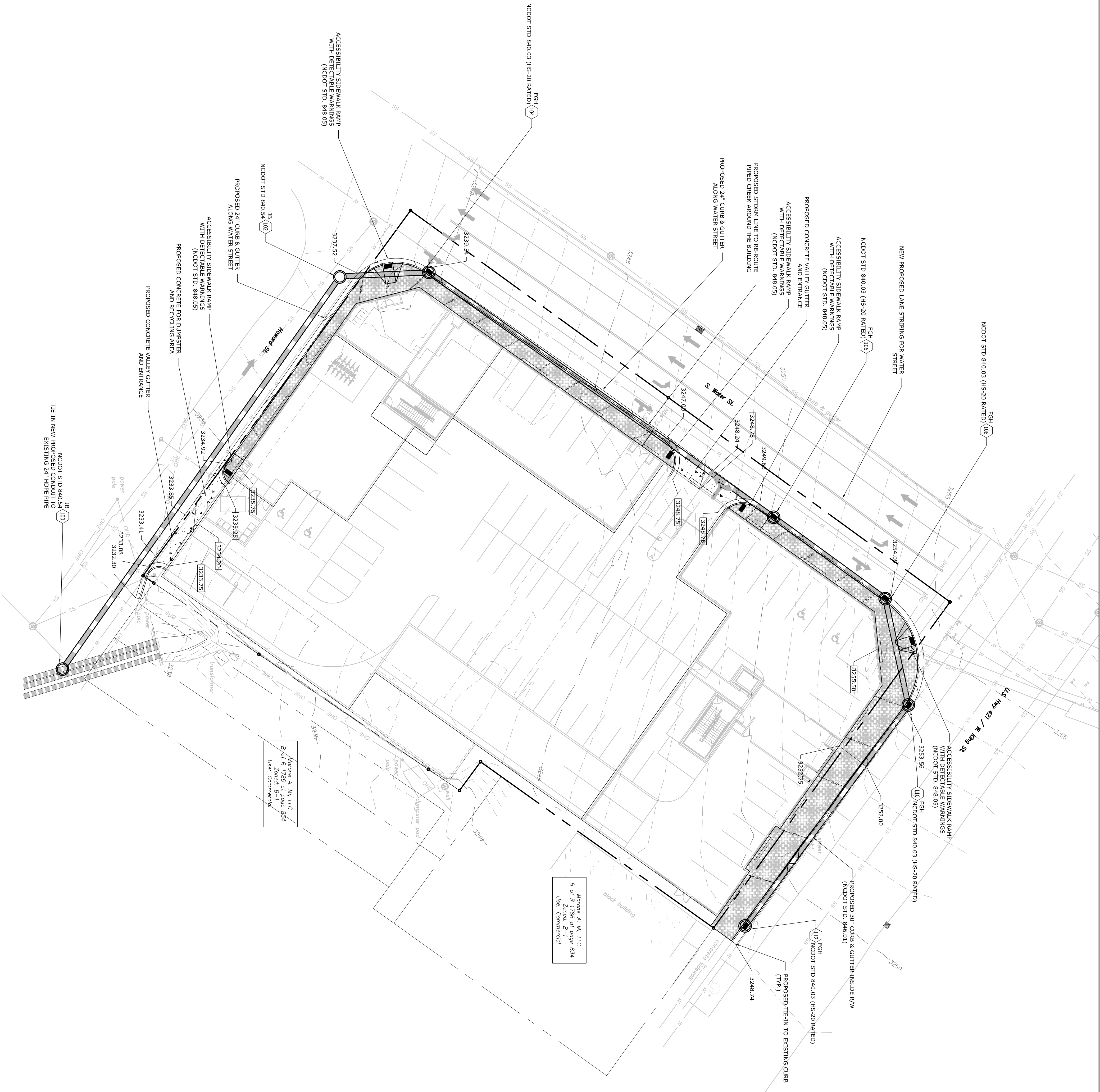
GRADING NOTES:

- 1.) ALL SPOT ELEVATIONS SHOWN ARE @ THE EOP UNLESS OTHERWISE NOTED.
- 2.) ALL PROPOSED SIDEWALKS SHALL BE BUILT WITH A 2% CROSS-SLOPE AWAY FROM THE BUILDING.
- 3.) THE CONTRACTOR SHALL CLEAN OUT ACCUMULATED SILT IN STORM WATER CONVEYANCE CHANNELS, PIPES, AND DRAINAGE FACILITIES AT END OF CONSTRUCTION WHEN DISTURBED AREAS HAVE BEEN STABILIZED.
- 4.) COORDINATE WITH THE TOWN OF BOONE INSPECTIONS DURING CONSTRUCTION.
- 5.) NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
- 6.) REFER TO SUBSURFACE EXPLORATION AND GEOTECHNICAL ENGINEERING EVALUATION REPORTS AS PROVIDED BY OWNER FOR RECOMMENDATIONS ASSOCIATED WITH: GENERAL SITE PREPARATION, BUILDING PAD PREPARATION, PAVEMENT SECTIONS, FILL, SLOPES AND EXCAVATION.
- 7.) CONSTRUCT EROSION CONTROL BARRIERS PER THE TOWN OF BOONE INSPECTOR AND MAINTAIN UNTIL PERMANENT VEGETATION IS ESTABLISHED.
- 8.) THE CONTRACTOR SHALL RE-ESTABLISH ALL RIGHT OF WAY AREA WHICH IS DAMAGED OR DISTURBED TO ORIGINAL CONDITIONS OR BETTER DURING AUTHORIZED WORK. ALL WORK IN NCDOT RIGHT OF WAY SHALL COMPLY WITH NCDOT SPECIFICATIONS.
- 9.) ALL CURBED ISLANDS SHALL BE FILLED TO TOP OF CURB WITH TOPSOIL AND SEEDED.
- 10.) MAXIMUM CUT SLOPE IS 1.5:1 AND MAXIMUM FILL SLOPE IS 2:1. ANY PROPOSED SLOPE > 2:1 SHALL BE PROPERLY DESIGNED AND CERTIFIED BY A NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER OR GEOLOGIST. CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL CONSULTANT AND PROVIDE COPIES OF THE DESIGN AND CERTIFICATIONS TO THE TOWN OF BOONE.
- 11.) ALL BUFFERS, TREE SAVE AREAS, AND UNDISTURBED AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- 12.) ALL STORM PIPE SHOWN ON THIS PLAN SHALL BE WRAPPED WITH LOCATION WIRE AND TAPE.
- 13.) IN ALL AREAS OF FILL OR OTHERWISE DISTURBANCE OF EXISTING CONDITIONS, UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL FULLY AND COMPLETELY REMOVE AND LEAKAGE DISPOSE OFF-SITE. ALL PLANT MATERIALS INCLUDING BUT NOT LIMITED TO ROOT SYSTEMS, BRANCHES, TWIGS, AND LEAVES SHALL BE REMOVED AND DISPOSED OFF-SITE. ALL OTHER DESTRUCTIVE MATERIAL, THE SUBGRADE TO REMAIN SHALL BE COMPACTED TO 95% STANDARD PROCTOR MAXIMUM DRY DENSITY FOLLOWING FILL REMOVAL OF THESE MATERIALS.
- 14.) ALL SUBGRADE PREP AND AREAS OF THE SITE TO RECEIVE FILL SHALL BE COMPLETED IN STRICT CONFORMANCE WITH THE RECOMMENDATIONS PROVIDED BY THE PROJECTOR. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SURFACE ELEVATIONS AND FINISH GRADES FOR REFERENCE AT ALL TIMES. THE CONTRACTOR SHALL PROVIDE EARTHWORK OPERATIONS AND CONSTRUCTION PHASE MONITORING TO ENSURE THAT ALL CONSTRUCTION IS COMPLETED IN ACCORDANCE WITH THE TOWN OF BOONE SPECIFICATIONS AND THE GEOTECHNICAL TESTING REPORTS TO THE OWNER REGARDING COMPACTION TESTING PER THE TESTING PROTOCOL IN THE GEOTECHNICAL REPORT.
- 15.) IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN QUALIFIED PROFESSIONAL ADVICE WHEN QUESTIONS ARISE CONCERNING DESIGN AND EFFECTIVENESS OF EROSION CONTROL DEVICES. 24 HR. CONTACT: MR. JASON GASTON (770) 722-9178
- 16.) NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.
- 17.) STORMWATER MANAGEMENT FACILITIES AND EROSION CONTROL MEASURES ARE TO BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF BOONE SPECIFICATIONS AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.
- 18.) EXTREME CAUTION SHALL BE USED WHEN WORKING WITHIN THE VICINITY OF THE EXISTING OVERHEAD POWER LINES. CONTRACTORS SHALL NOTIFY/COORDINATE WITH NEW RIVER LIGHT AND POWER COMPANY PRIOR TO CONSTRUCTION.
- 19.) ALL PUBLICLY MAINTAINED SIDEWALK SHALL BE BUILT WITH 5,000 PSI CONCRETE WITH FIBER 4" THICK AND 4" WASHED STONE UNDERLAY. SIDEWALK TO BE SEALED WITH POLYURETHANE SEALER. ALL PROPOSED SIDEWALKS SHALL BE BUILT WITH A 2% CROSS-SLOPE AWAY FROM THE BUILDING.

EARTHWORK CALCULATIONS			
REQ'D CUT =	30.60	CY	
ADDITIONAL CUT FROM PAVEMENT BASE =	105	CY	
ADDITIONAL CUT FROM FOUNDATION =	750	CY	
BALANCE:	31,295	CY	

EARTHWORK NOTES:
1. ALL EXISTING CUTS OF 15% WAS USED FOR THESE CALCULATIONS. REQ'D CUT IS IN SITU CUT.
2. ANY SOIL MATERIAL TO BE TRANSPORTED OFFSITE SHALL BE EXPORTED TO AN OFFSITE. AT THE START OF EARTH MOVING ACTIVITIES, THE CONTRACTOR SHALL PROVIDE THE TOWN OF BOONE WITH A COPY OF THE APPROVED SPOT SITE PRINT.

LEGEND	
	CONCRETE SIDEWALK AND PAVING
	STANDARD DUTY ASPHALT PAVING
	HEAVY DUTY ASPHALT PAVING
	NCDOT ASPHALT PAVING
	EXISTING SPOT ELEVATION
	PROPOSED SPOT ELEVATION
	EXISTING CONTOURS
	PROPOSED CONTOURS



REVISIONS		DATE
1	TOWN COMMENTS	05/27/16
PROJECT MANAGER:	JEG	
DRAWING BY:	JEG	
JURISDICTION:	TOWN OF BOONE	
DATE:	04/29/16	
SHEET TITLE:	PRELIMINARY GRADING & DRAINAGE PLAN	
SHEET NUMBER:	PDR-2	
SCALE:	1" = 20'	
FILE NUMBER:	001-024	

ENGINEER:

215 Boone Heights Drive, Ste. 107
Boone, NC 28607
828-662-9807
www.valorengineering.com

SEAL:

PROJECT:

The Marketplace

A Mixed Use Development

ADDRESS:

783 West King Street
Boone, NC

DEVELOPER:

215 Boone Heights Drive, Ste. 100
Boone, NC 28607
828-662-3431

CONTACT:

MR. JOHN WINKLER

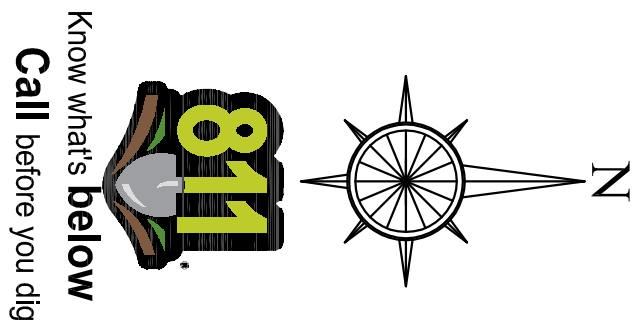
[illegible]

- 1.) ANY EXISTING WATER METERS) TO BE REMOVED BY THE CONTRACTOR. MUST BE REPLACED
- 2.) WITH NEW METERS. METERS SHALL BE INSTALLED IN A CONCRETE ENCLOSURE, 18" DIA.
- 3.) AND/OR DISCONNECTED FROM THE WATER MAIN BY THE TOWN OF ROOSELT.
- 4.) CONCRETE BLOCKING (3000 PSI) TO BE PLACED AT ALL ENDS OR AS REQUIRED.
- 5.) CONCRETE SHALL BE PLACED IN 12" LAYERS WITH REINFORCING BARS (4" DIA.)
- 6.) LOCATIONS OR OTHER SPECIAL SITUATIONS. COVER IS BASED ON ELEVATION BELOW EDGE OF
- 7.) PAVEMENT OR AS INDICATED ON THE PLANS. AT ALL VALVE BODIES.
- 8.) EXTENSIONS FOR VALVE BODIES, WHEN REQUIRED, ARE TO BE 5" SOI PIPE.
- 9.) ALL PAVEMENT CUTS, CONCRET OR IMPACT, ARE TO BE REPLACED ACCORDING TO THE
- 10.) TOWN OF ROOSELT SPECIFICATIONS. ALL PAVEMENT CUTS SHALL BE REPLACED WITH
- 11.) PAVEMENT CUTS ARE TO BE REPLACED IMMEDIATELY AFTER BACKFILLING OF INITIAL CUT
- 12.) OF 4" MINIMUM.
- 13.) REPAIRS TO MAIN BREAKS: REPAIRS TO BE ALLOWED, DEPEND ON SPECIAL CIRCUMSTANCES
- 14.) BEARS TO MAIN BREAKS.

- 9.) AND AS DIRECTED BY THE DIRECTOR OF PUBLIC UTILITIES.
- 10.) B. SOLID STEEL TO BE USED FOR CONNECTING SPIGOT ENDS SHALL BE IN AN INSTANCE WHERE IT WILL BE NECESSARY TO HAVE THE WATER SHUT OFF ON EXISTING MAINS IN ORDER TO MAKE A TIE-IN, THE WORK MUST BE DONE UNDER THE DIRECT SUPERVISION OF THE DIRECTOR OF PUBLIC UTILITIES, AND AT THE TIME LEAST WHEN A WATER MAIN CROSSES AN EXISTING SEWER MAIN, THE CONTRACTOR IS TO REPLACE THE SEWER PIPE SPANNING THE DITCH WITH DUCTILE PIPE WHEN THE FOLLOWING CONDITIONS OCCUR:
 - a. WATER MAIN IS INSTALLED UNDER A SEWER MAIN.
 - b. WHEN A WATER MAIN IS OVER A SEWER MAIN AND THE VERTICAL DISTANCE BETWEEN THE TWO MAINS IS 18" OR LESS.
- 11.) WATER MAINS SHALL BE INSTALLED WITH A MINIMUM OF 10 FEET HORIZONTAL DISTANCE BETWEEN THE MAINS.
- 12.) DIRECTOR OF PUBLIC UTILITIES, BOTH THE WATER LINE AND THE SEWER LINE SHALL BE DUCTILE IRON PIPE.
- 13.) ALL WATER MAINS SHALL BE DISINFECTED AND HYDROSTATICALLY TESTED IN ACCORDANCE WITH THE STATE OF OHIO REQUIREMENTS.
- 14.) ALL SLOPE OF ROOFING SHALL BE MAINTAINED. ALL WATER METER AND METER VAULT INSTALLATIONS, ALL WATERS METERS SHALL BE INVENUS TOUGHENED AND SHALL BE INSTALLED 18-INCHES FROM THE METER FACE TO THE TOP OF THE METER BOX.
- 15.) MECA LUG ON CLAMPS AND THROUS BLOCKING MUST BE INSTALLED ON ALL JO FITTINGS.
- 16.) ALL FIRE HYDRANTS SHALL BE KENNEDY GUARDIAN K-81, 1841 MODEL, 129, OR MILLER SUPER CENTERLINE.

2.) LOCATION (3/8" x 60" BARCO PRODUCTS OR EQUIVALENT). ALL STREET NUMBERS SHALL BE 8" MIN HEIGHT AND A COLOR CONTRASTING THE BUILDING FINISH.

SOLID WASTE CALCULATIONS:



DEVELOPER:

 **Minkler**
organization

RESIDENTIAL COMMERCIAL PROPERTY MANAGEMENT

215 Boone Heights Drive, Ste. 100
Boone, NC 28607
828-262-3431

CONTACT: MR. JOHN WINKLER

SEAL:

035233

SEAL

NORTH CAROLINA PROFESSIONAL ENGINEERS

JOHN GAST

05/27/16

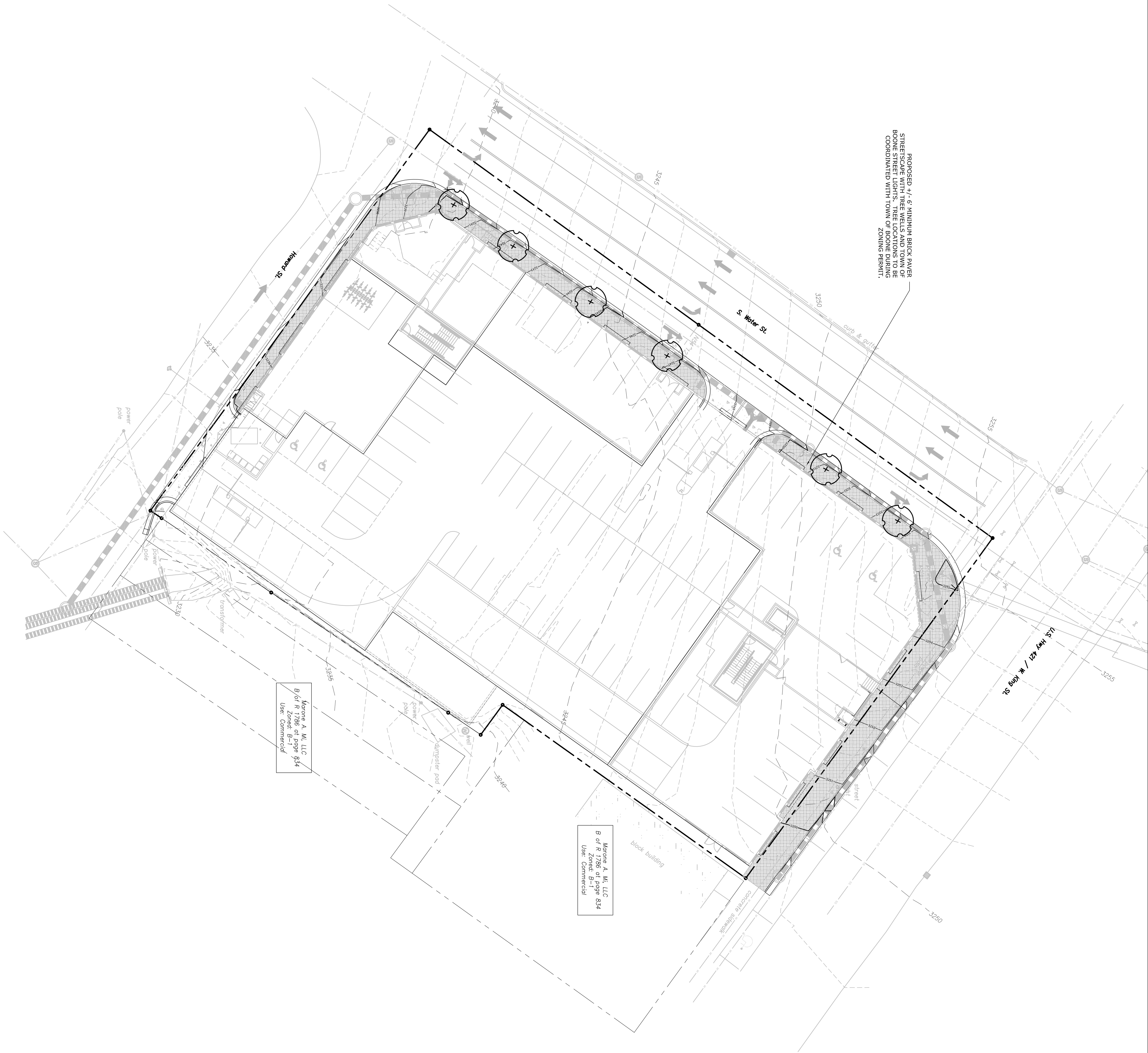
REVISIONS	DATE
1. TOWN COMMENTS	05/27/10
PROJECT MANAGER:	JEG
DRAWING BY:	JEG
DESIGNED BY:	JEG
JURISDICTION:	TOWN OF BOONVILLE
DATE:	04/29/10
SHEET TITLE:	
PRELIMINARY UTILITY PLAN	
SHEET NUMBER:	PDR-3
SCALE:	1" = 20'
SCALE IN FEET	SCALE IN FEET
TITLE NUMBER:	001-02

NOTES:

1.) FORMAL LANDSCAPE DESIGN, INCLUDING SPECIES AND QUANTITY, TO BE COMPLETED DURING ZONING PERMIT. THIS PLAN IS FOR REZONING ONLY.

LEGEND

- PROPOSED SHADE TREE
- PROPOSED SHRUB
- PROPOSED EVERGREEN TREE



PROJECT:

The

A Mixed Use Development

Marketplace

ADDRESS

783 West King Street
Boone, NC

DEVELOPER:



215 Boone Heights Drive, Ste. 100
Boone, NC 28607
828-262-3431

CONTACT

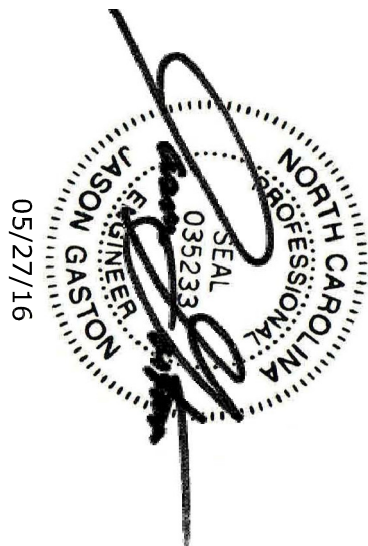
MR. JOHN WINKLER

ENGINEER:



215 Boone Heights Drive, Ste. 107
Boone, NC 28607
828-262-9807
www.valorengineering.com

SEAL:



REVISIONS	DATE
1 TOWN COMMENTS	05/27/16

PROJECT MANAGER: JEG

DRAWING BY: JEG

JURISDICTION: TOWN OF BOONE

DATE: 04/29/16

SHEET TITLE:

PRELIMINARY LANDSCAPE PLAN

SHEET NUMBER: PDR-4

SCALE: 1" = 20'



SCALE IN FEET

FILE NUMBER: 001-024



Know what's **below**

Call before you d

Symbol	Label	Qty	Category Number	Description	Lamp	Fil	lumens	LLF	Watts
⊙ •	B	19	0612-20VPL 1006-CL	WITH WHITE INTERIOR AND CLEAR WARM TIGHT GLASS LENS	ONE SYLVANIA 32-WATT CPFL W/MP	0612-1000-CL- 32VPL- 1T5295-IES	2400	0.95	33

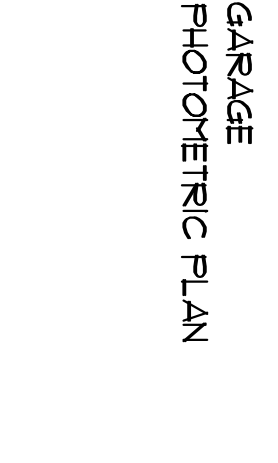
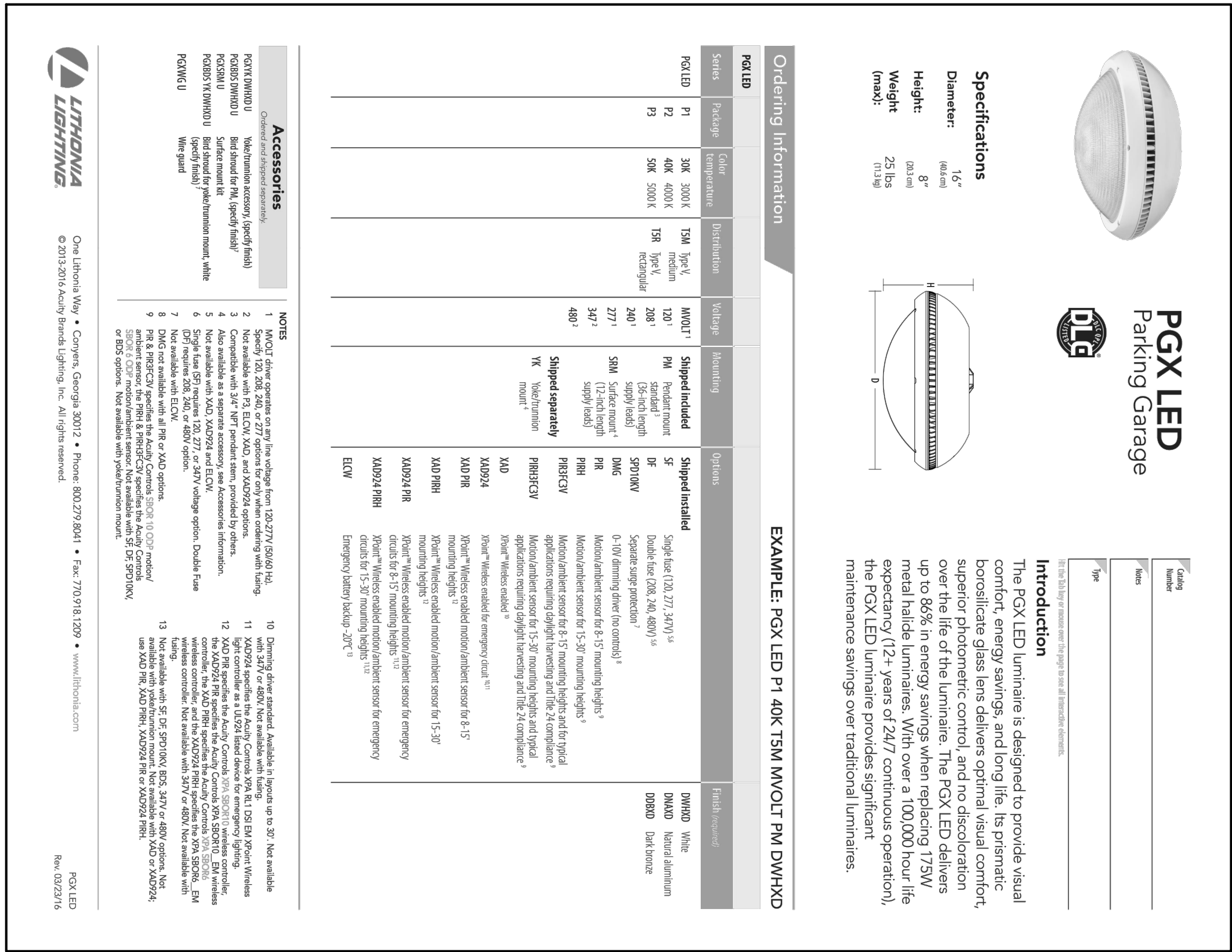
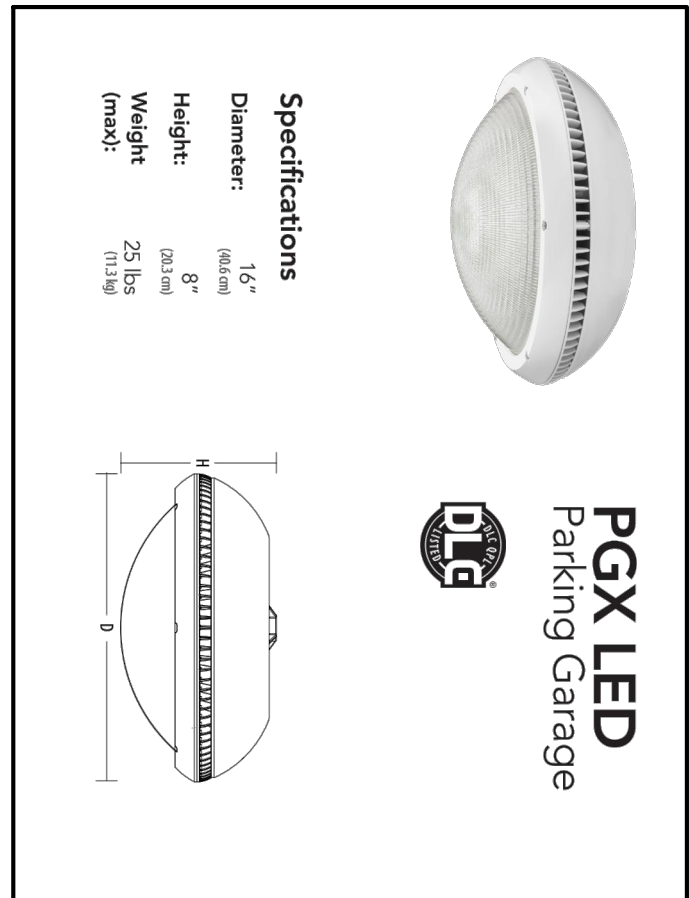
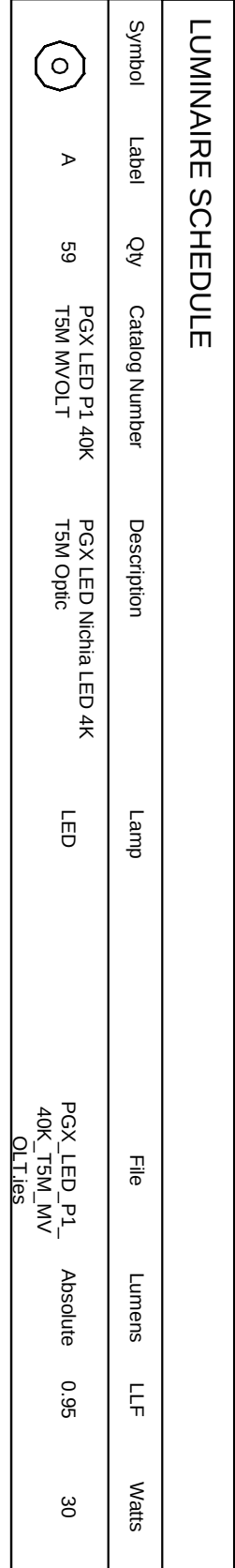
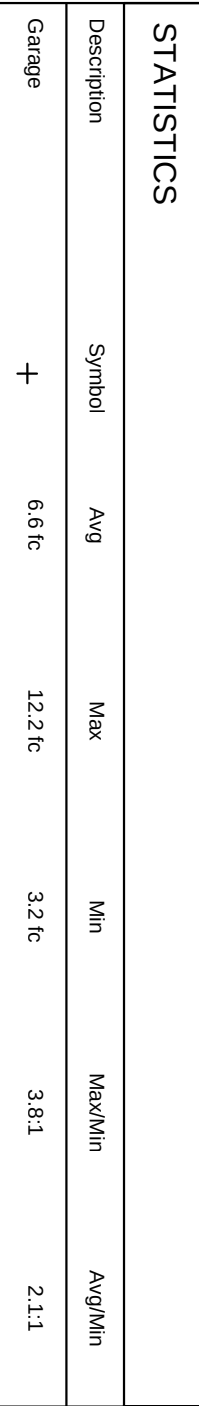
SITE PHOTOMETRIC PLAN

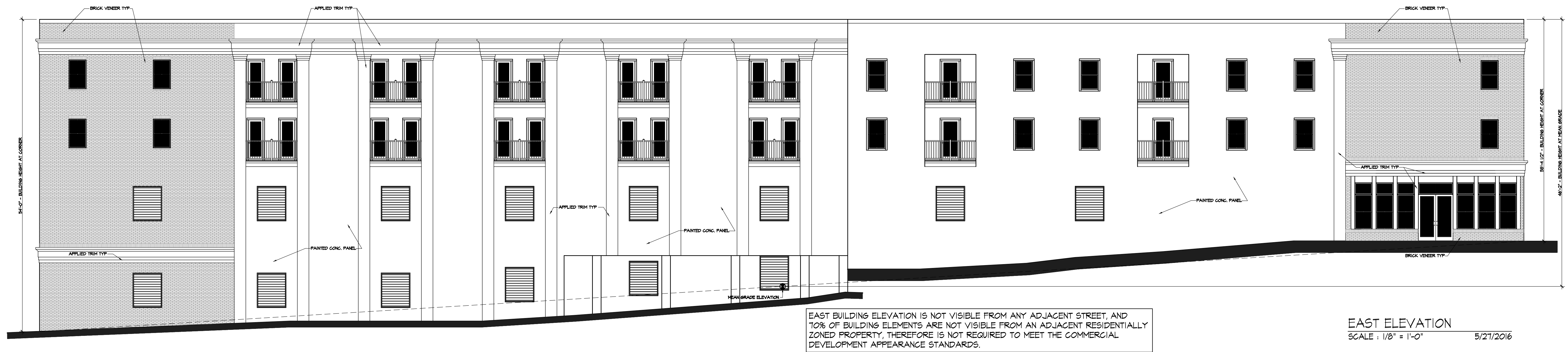
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BOONE, NORTH CAROLINA

MAY 18, 2016

SITE PHOTOMETRIC PLAN





Town of Boone
Planning & Inspections

Date Received
May 27, 2016



COMMERCIAL APPEARANCE REQUIREMENTS		
HOWARD STREET		
PLAN = 152' LIN. DIM.		
FEATURE TYPE	LOCATION	NO. OF FEATURES
1. WINDOWS / FULL GLASS DOORS	PLAN	19
2. FILASTERS	PLAN	20
3. BUILDING OFFSETS	PLAN	2
4. COVERED ENTRY	PLAN	1
5. DIAGONAL WALL	PLAN	1
6. BALCONIES	PLAN	5
PLAN FEATURE TYPES - 5 REQ'D.		47-TOTAL (16 REQ'D)

COMMERCIAL APPEARANCE REQ'MTS		
HOWARD STREET		
ELEVATION = 50'-4" +/- (HT. FROM MEAN GRADE)		
1. MATERIAL CHANGE	ELEVATION	19
2. WINDOWS	ELEVATION	19
3. FILASTERS	ELEVATION	20
4. BALCONIES	ELEVATION	5
5. CHANGE IN PARAPET WALL HT	ELEVATION	1
6. DORMERS	ELEVATION	1
ELEVATION FEATURE TYPES - 5 REQ'D.		

COMMERCIAL APPEARANCE REQ'MTS		
HOWARD STREET		
ROOF		
1. CHANGE IN PARAPET WALL HT	ROOF	1
ELEVATION FEATURE TYPES - 0 REQ'D.		
NO VISIBLE PITCHED ROOFS		

WINDOW CALCULATIONS - BI MIXED USE (60%)	
15.11.03 - A MINIMUM OF 60% OF THE STREET FACING STREET LEVEL BUILDING FACADE SHALL BE COMPRISED OF TRANSPARENT, NON-REFLECTIVE WINDOWS.	
BUILDING LENGTH = 152' (W) 60' = 91.2' LFT GLASS REQUIRED ; 113'-2" LFT PROVIDED (WINDOWS AND GARAGE OPENINGS)	

HOWARD STREET ELEVATION
SCALE : 3/16" = 1'-0"
5/27/2016

THE ELEVATIONS SHOWN ARE CONCEPTUAL AND MAY BE MODIFIED FOR COMPLIANCE WITH U.D.O. REGULATIONS AND CLIENT REQUIREMENTS.

MARKETPLACE MIXED USE

PLANNED DISTRICT REZONING SUBMITTAL 5/27/16

BRENT DAVIS ARCHITECTURE, INC.
BOONE, NORTH CAROLINA

Date Received
May 27, 2016



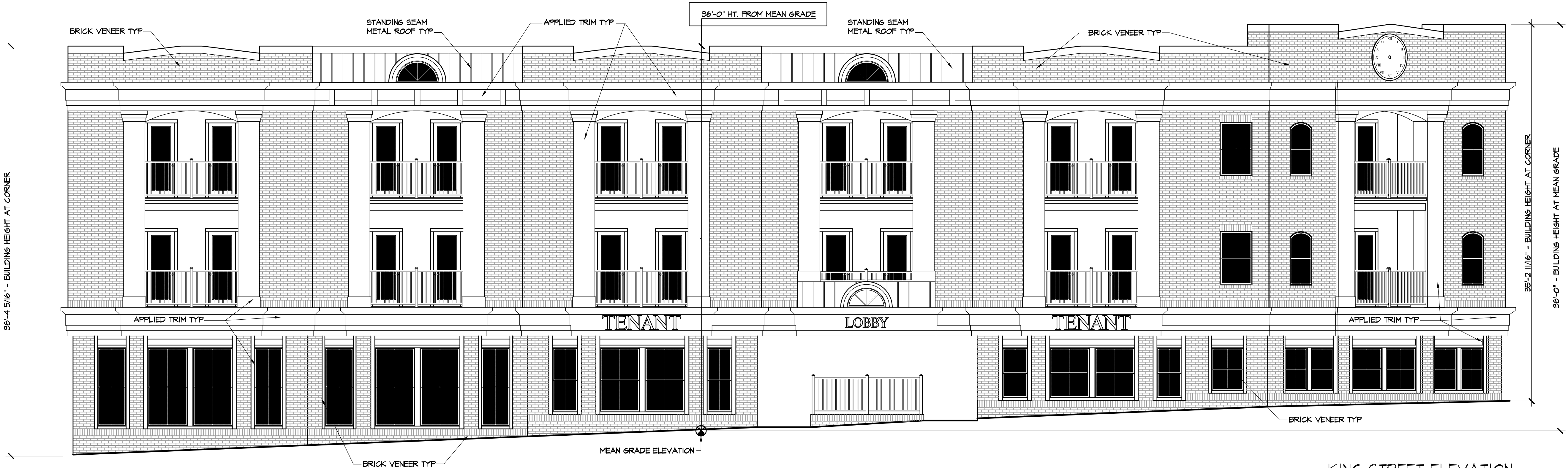
COMMERCIAL APPEARANCE REQUIREMENTS		
WATER STREET PLAN = 256' LIN. DIM.		
FEATURE TYPE	LOCATION	NO. OF FEATURES
1. WINDOWS / FULL GLASS DOORS	PLAN	51
2. PILASTERS	PLAN	27
3. BUILDING OFFSETS	PLAN	2
4. COVERED ENTRY	PLAN	3
5. DIAGONAL WALL	PLAN	1
6. BALCONIES	PLAN	16
PLAN FEATURE TYPES - 5 REQ'D.		100-TOTAL (16 REQ'D)

COMMERCIAL APPEARANCE REQ'TS	
WATER STREET ELEVATION = 42'-4" +/- (HT. FROM MEAN GRADE)	
1. MATERIAL CHANGE	ELEVATION
2. WINDOWS	ELEVATION
3. PILASTERS	ELEVATION
4. BALCONIES	ELEVATION
5. CHANGE IN PARAPET WALL HT	ELEVATION
6. DORMERS	ELEVATION
ELEVATION FEATURE TYPES - 4 REQ'D.	

COMMERCIAL APPEARANCE REQ'TS	
WATER STREET ROOF	
1. CHANGE IN PARAPET WALL HT ROOF	ELEVATION
ELEVATION FEATURE TYPES - 0 REQ'D.	
NO VISIBLE PITCHED ROOFS	

WINDOW CALCULATIONS - BI MIXED USE (60%)
15.11.03 - A MINIMUM OF 60% OF THE STREET FACING STREET LEVEL BUILDING FACADE
SHALL BE COMPRISED OF TRANSPARENT, NON-REFLECTIVE WINDOWS.
BUILDING LENGTH = 256' (x) .60 = 153'-6" LFT GLASS REQUIRED ; 162'-0" LFT PROVIDED

WATER STREET ELEVATION
SCALE : 1/8" = 1'-0" 5/21/2016



COMMERCIAL APPEARANCE REQUIREMENTS		
KING STREET PLAN = 134' LIN. DIM.		
FEATURE TYPE	LOCATION	NO. OF FEATURES
1. WINDOWS / FULL GLASS DOORS	PLAN	24
2. PILASTERS	PLAN	17
3. BUILDING OFFSETS	PLAN	2
4. COVERED ENTRY	PLAN	1
5. DIAGONAL WALL	PLAN	1
6. BALCONIES	PLAN	6
PLAN FEATURE TYPES - 5 REQ'D.		56-TOTAL (16 REQ'D)

COMMERCIAL APPEARANCE REQ'TS	
KING STREET ELEVATION = 38'-0" +/- (HT. FROM MEAN GRADE)	
1. MATERIAL CHANGE	ELEVATION
2. WINDOWS	ELEVATION
3. PILASTERS	ELEVATION
4. BALCONIES	ELEVATION
5. CHANGE IN PARAPET WALL HT	ELEVATION
6. DORMERS	ELEVATION
ELEVATION FEATURE TYPES - 4 REQ'D.	

COMMERCIAL APPEARANCE REQ'TS	
KING STREET ROOF	
1. CHANGE IN PARAPET WALL HT ROOF	ELEVATION
ELEVATION FEATURE TYPES - 0 REQ'D.	
NO VISIBLE PITCHED ROOFS	

WINDOW CALCULATIONS - BI MIXED USE (60%)
15.11.03 - A MINIMUM OF 60% OF THE STREET FACING STREET LEVEL BUILDING FACADE
SHALL BE COMPRISED OF TRANSPARENT, NON-REFLECTIVE WINDOWS.
BUILDING LENGTH = 134' (x) .60 = 80'-4" LFT GLASS REQUIRED ; 98'-0" LFT PROVIDED

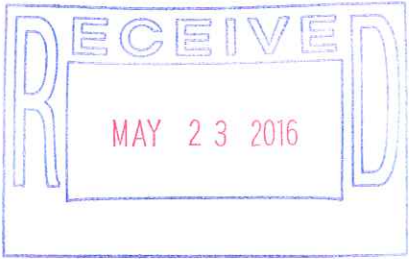
PROPOSED COLOR SELECTION	
BRICK: RED / BROWN TONE	
TRIM: SHERMAN WILLIAMS SW 6144 RELAXED KHAKI	
METAL ROOF: HUNTER GREEN	

KING STREET ELEVATION
SCALE : 3/16" = 1'-0" 5/27/2016

THE ELEVATIONS SHOWN ARE CONCEPTUAL AND
MAY BE MODIFIED FOR COMPLIANCE WITH U.D.O.
REGULATIONS AND CLIENT REQUIREMENTS.

MARKETPLACE MIXED USE

PLANNED DISTRICT REZONING SUBMITTAL 5/27/16



KING STREET ELEVATION

MARKETPLACE MIXED USE
BOONE, NC



WATER STREET ELEVATION

MARKETPLACE MIXED USE

BOONE, NC



HOWARD STREET ELEVATION

MARKETPLACE MIXED USE
BOONE, NC

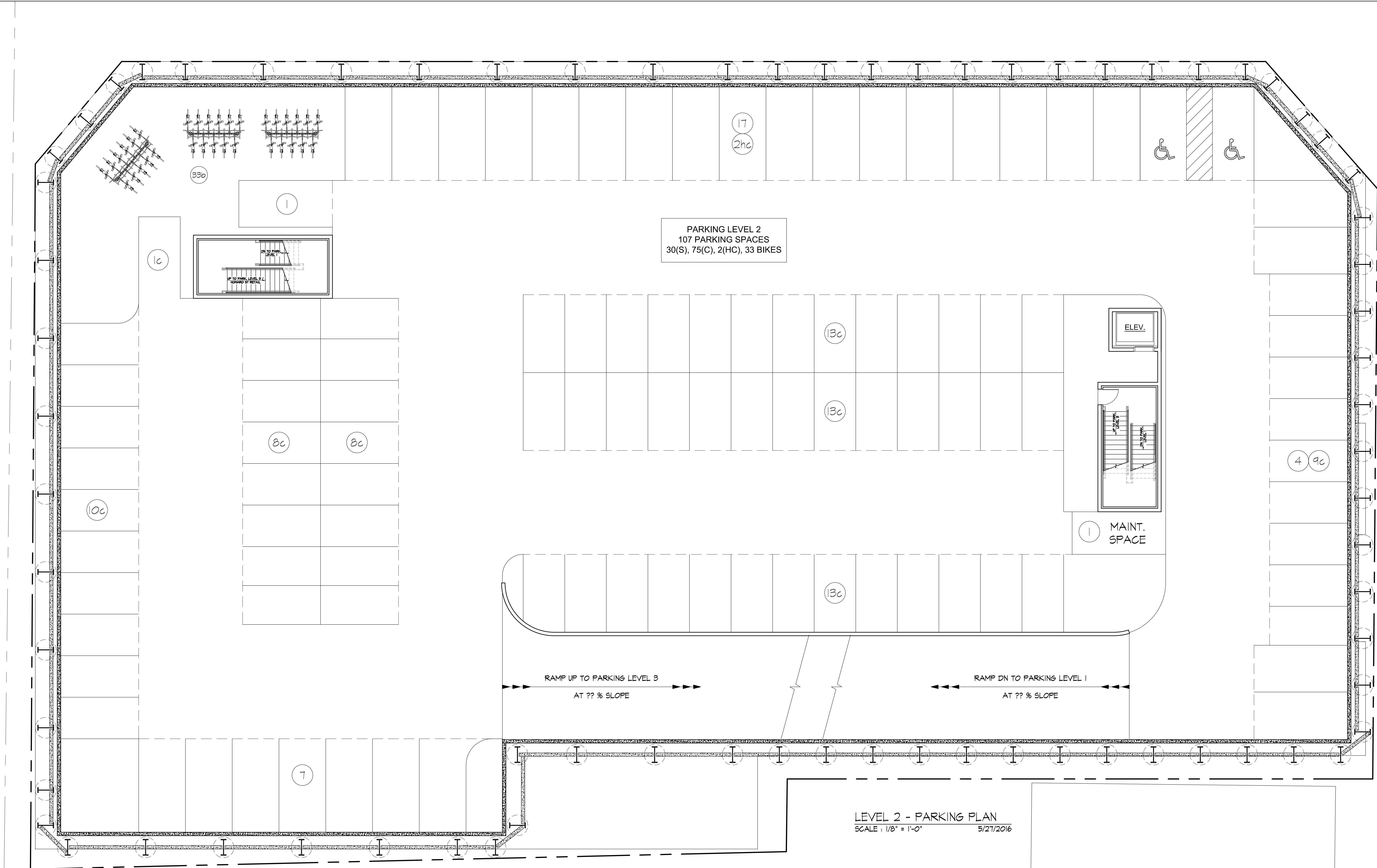


EAST ELEVATION

MARKETPLACE MIXED USE

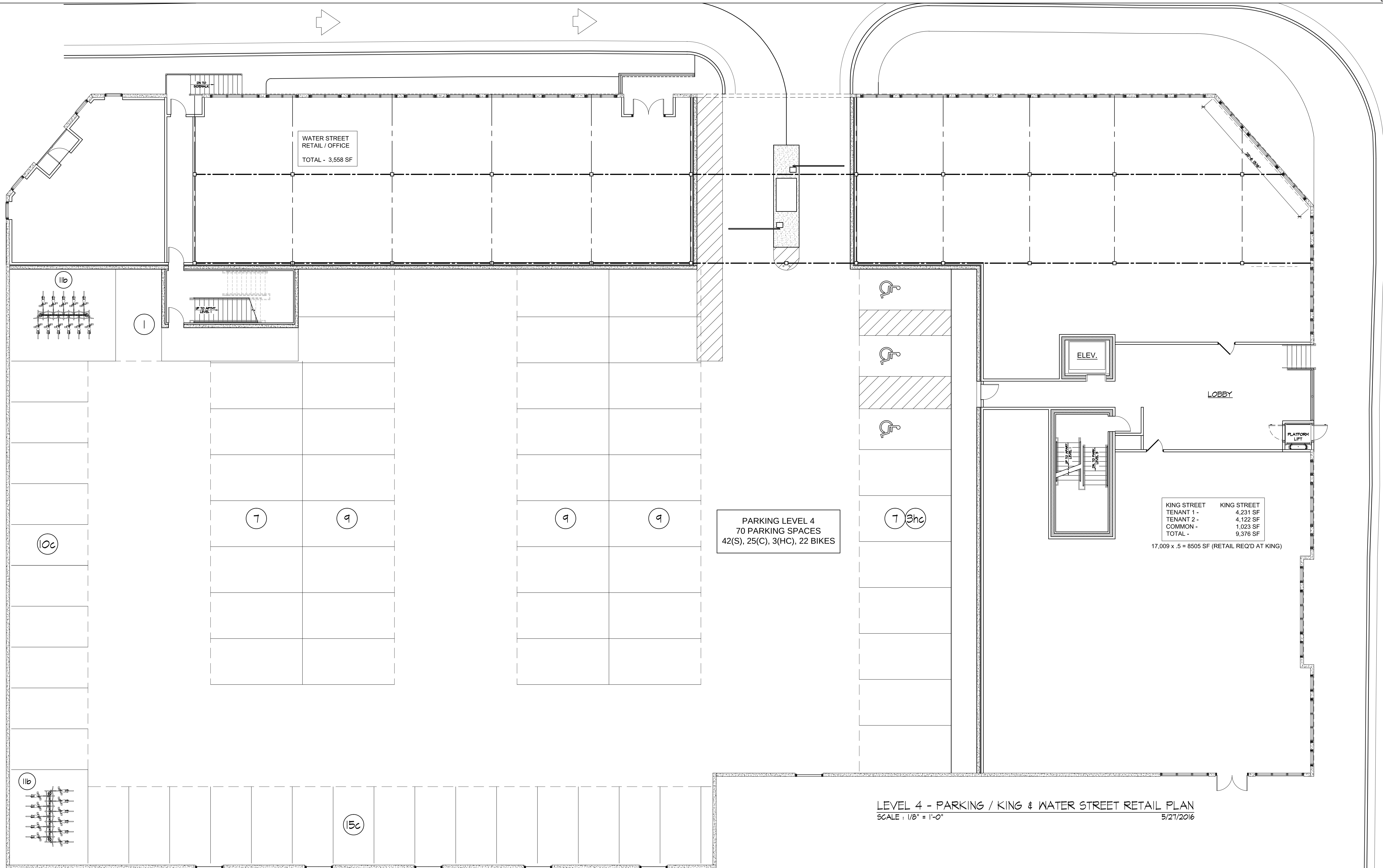
BOONE, NC



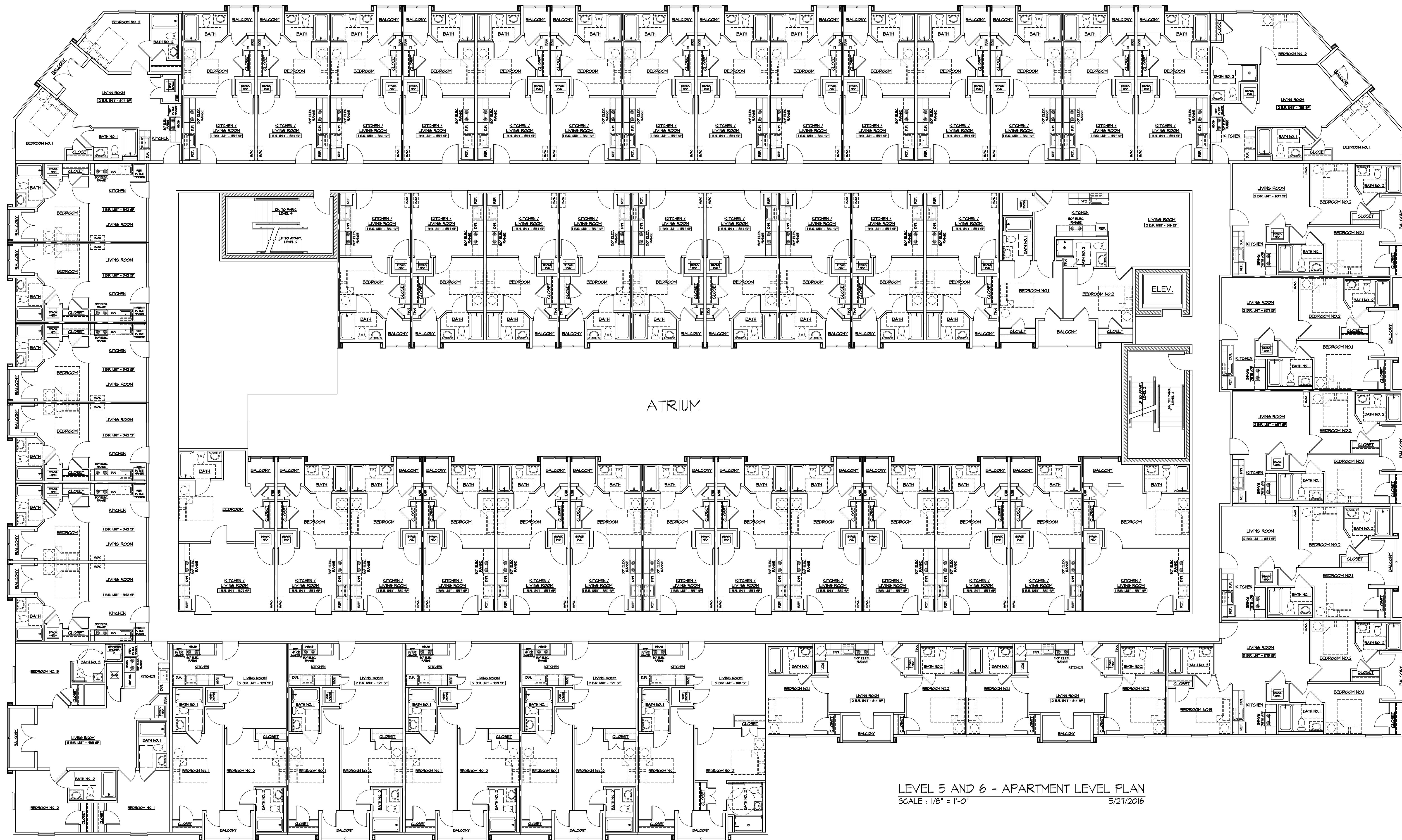


LEVEL 2 - PARKING PLAN
SCALE : 1/8" = 1'-0" 5/27/2016





MARKETPLACE MIXED USE
PLANNED DISTRICT REZONING SUBMITTAL 5/21/16



LEVEL 5 AND 6 - APARTMENT LEVEL PLAN
SCALE : 1/8" = 1'-0"
5/21/2016

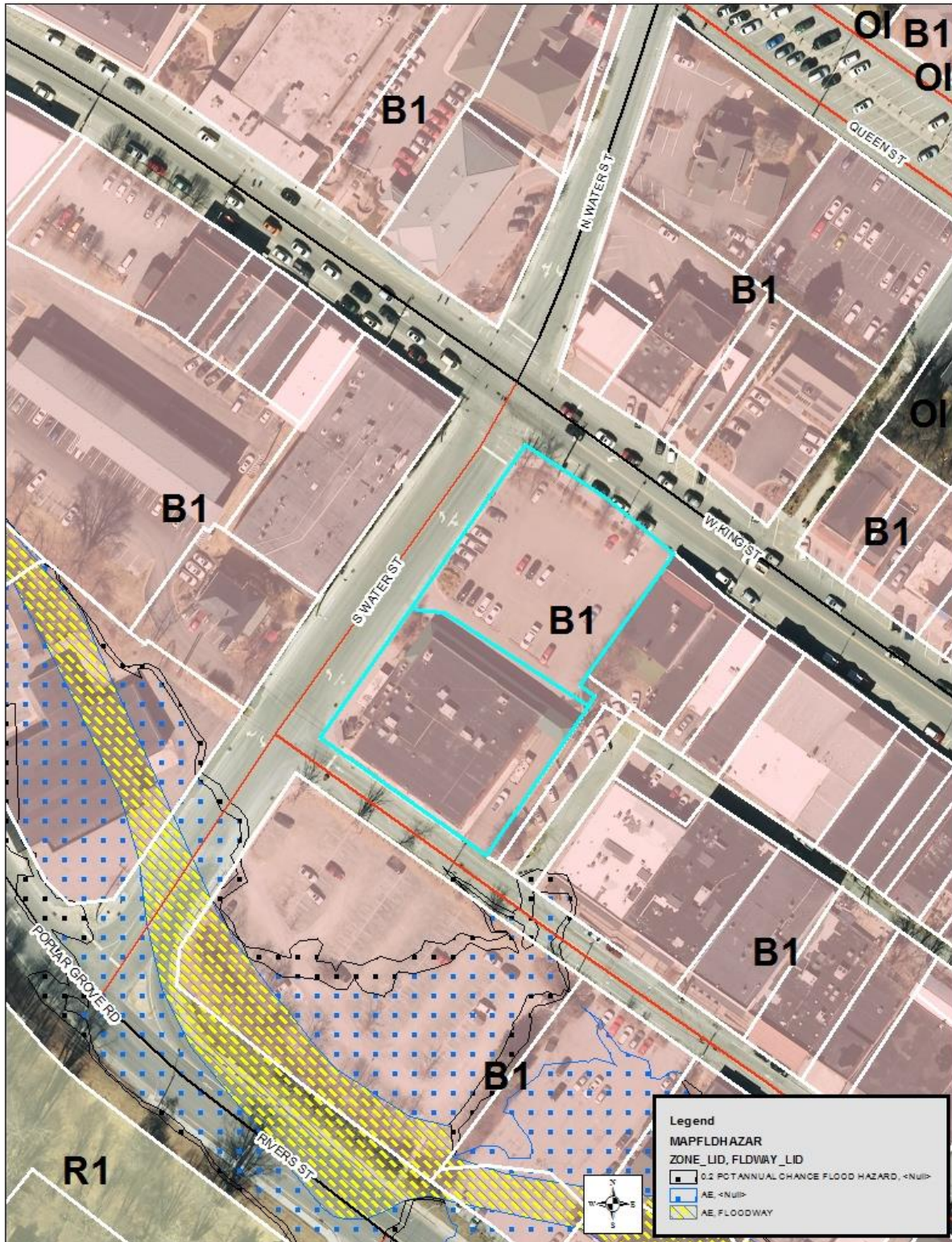
MARKETPLACE MIXED USE

PLANNED DISTRICT REZONING SUBMITTAL 5/21/16



**STAFF REPORT
SPECIAL PUBLIC HEARING
JUNE 6, 2016**

CASE 20160275 MARKETPLACE PLANNED DEVELOPMENT ZONING MAP AMENDMENT



Communication: Marketplace Staff Report (Case 20160275 Marketplace Planned Development Zoning Map Amendment)

Request

John Winkler with The Winkler Organization has filed a Zoning Map Amendment Application for a planned development at properties located at or near 783 West King Street (Watauga Co. PINs: 2900-79-7562-000 & 2900-79-6480-000). The proposed development consists of a mixed-use building containing both residential and commercial uses, including a parking deck. The residential portion will contain 99 dwelling units with 159 bedrooms; with the following uses are proposed to be allowed for the commercial portion of the building: 11.06 Restaurant $\leq 2,500$ ft² open to the public during 10pm-6am, 11.07 Other restaurants $\leq 2,500$ ft²; 11.08 Restaurant $> 2,500$ ft² open to the public during 10pm-6am; 11.09 Other restaurants $\leq 2,500$ ft², 11.12 Personal Service Establishment open to the public during 10 pm – 6 am, 11.13 Other Personal Service Establishments, 11.14 Retail Store up to 5,000 ft²; 11.15 Retail Store more than 5,000 ft² but less than 25,000 ft², 11.19 Other business or Professional Office, 14.02 Brewpub and 15.02 Parking Structure.

Applicant Information

Applicant Name/Position: John Winkler
Applicant Organization: The Winkler Organization
Applicant Address: PO Box 2675, Boone, NC 28607
Applicant Contact Phone: (828) 262-3434
Applicant Email: winkheelsfam@yahoo.com

Parcel Information

Addresses: 783 West King Street
Watauga County PINs: 2900797562000 and 2900796480000
Property Owner: Howard Street Ventures LLC
Total Lot size: 1.018 acres (44,325 square feet)
Jurisdiction: Corporate limits
Access: Water Street (local town street) and Howard Street ()
Topography: Approximate 17.25' change in elevation from King Street to Howard Street; Slope from NE to SW
SFHA: No. The special flood hazard area is located to the south of this property.
Watershed District: No
Corridor District: No
NCD: No
Viewshed: No
Transit Route: Yes. (Green Route West, Express, Gold Route -not after 6 pm, Pop 105)
Utilities: Town water and sewer are available.
Current Zoning: B1
Vesting: 2 years
2030 Plan Designations: G-4 Downtown Boone
Current Uses: Restaurant, Office and Parking

Zoning & Use of Adjacent Properties		
	Adjacent Zoning	Adjacent Land Use
North	B1 Central Business	Across King St.: Restaurant, Office
East	B1 Central Business	Restaurant, Across alley: mixed-use building with restaurant, retail & multi-family
South	B1 Central Business	Across Howard St.: Parking
West	B1 Central Business	Across Water St: mixed use building with restaurant and multi-Family

Impact Analysis

Proposed Zoning: Marketplace Planned Development (Marketplace PD)

Comparison of current standards to this request:

Comparison Chart																					
Standard		Marketplace Development																			
UDO Section 16.08 Building Height Limitations (UDO Subsections 16.08.02 & 16.08.04) Maximum Building Height = 40'		Deviating from standard as follows: King Street: 38' (meets current standard) Water Street: 42' 4" (2' 4" +) Howard Street: 50' 4" (10' 4" +)																			
UDO Section 16.06 Building Height Requirements (UDO Subsections 16.06.02, 16.06.03 & 16.06.07) Building Setbacks=0'		In compliance. Street: Building is proposed to sit behind the public right-of-way on King Street, South Water Street and Howard Street. The interior setback varies as the building is proposed to sit from less than 1' to no more than 5' from the interior property line.																			
UDO ARTICLE 15, SUBSECTION 15.11.04(A) Multi-Family in Mixed Use: 1. Each project shall provide primary street level commercial land uses (i.e. retail, office, restaurant) of at least fifty percent (50%) of the square footage of the footprint of each building on the primary street level. For developments located on lots which abut more than one public street in the Central Business District, each additional street level floor shall provide commercial uses of at least 30% of that level's square footage. For purposes of this Subsection, the "primary street" shall be determined according to the following order: King Street, Howard Street, Depot Street, all other streets. For example, if a project is located on a lot that abuts both King Street and Howard Street, King Street shall be considered the "primary street" while for a project which abuts Howard Street and Depot Street, Howard Street shall be considered the "primary street" and so on.		Deviating from standard as follows: Building Footprint: 36,336 square feet required <table><tr><th colspan="3">Street Level Commercial Uses*</th></tr><tr><th>King Street</th><th>Water Street</th><th>Howard Street</th></tr><tr><td>50%</td><td>30%</td><td>30%</td></tr><tr><td>Required: 18,168 ft²</td><td>Required: 10,901 ft²</td><td>Required: 10,901 ft²</td></tr><tr><td>Proposed: 9,376 ft² (26%)</td><td>Proposed: 3,558 ft² (10%)</td><td>Proposed: 5,351 ft² (15%)</td></tr><tr><td>Deviation: 8,751 ft² (24%)</td><td>Deviation 7,343 ft² (20%)</td><td>Deviation: 5,525 ft² (15%)</td></tr></table> *Calculations not including commercial parking provided on the King Street, Water Street & Howard Street levels since it is not a qualifying "commercial use" per UDO Subsection 15.11.01A		Street Level Commercial Uses*			King Street	Water Street	Howard Street	50%	30%	30%	Required: 18,168 ft ²	Required: 10,901 ft ²	Required: 10,901 ft ²	Proposed: 9,376 ft ² (26%)	Proposed: 3,558 ft ² (10%)	Proposed: 5,351 ft ² (15%)	Deviation: 8,751 ft ² (24%)	Deviation 7,343 ft ² (20%)	Deviation: 5,525 ft ² (15%)
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Comparison Chart	
Standard	Marketplace Development
2. The entire frontage of the primary street level of the building abutting the street shall provide commercial uses. Required entrances for ingress and egress to secondary uses are permitted along said frontage so long as they are no larger than necessary to meet building code and safety requirements for ingress and egress. Commercial uses on the non-primary street level(s) shall front on the non-primary street.	In compliance. Commercial uses are grouped so that they face each street level. Required entrances to the secondary uses are permitted for the parking garage on the Howard Street & Water Street frontages as well as a solid waste/recycling enclosure on Howard Street.
3. New projects shall be at least two floors above the primary street level.	In compliance. The building is two stories above King Street.
4. Buildings facades shall be oriented to each public street and shall have a primary entrance door facing each abutting public sidewalk.	In compliance. There is either a lobby entrance or a direct entrance into the building from all three streets.
5. A minimum of 60% of primary public street level facing building facade shall be comprised of transparent, non-reflective windows and 30% of non-primary street level facing building facades shall be comprised of transparent, non-reflective windows.	In compliance.
6. Surface parking shall be located away from each public street to the extent possible, and if practical, to the rear of the principal building.	In compliance. No surface parking proposed.
7. Structured parking is permitted to the rear of the building or below the street level floor.	In compliance. The structured parking is located within the middle of the building off of Water Street and behind and below the commercial uses on Howard Street.
8. Building facades may be no further than 0'-0" from the established street setback line, except where necessary to provide landscaped courtyards, plazas, pocket parks, other pedestrian oriented amenities, or when there would be interference with public utilities.	In compliance. Building sits on the established street setback line except where building deviates to keep a straight line along an elevation. Sidewalks are provided along each public street.
9. The minimum building footprint shall be 50% of the total gross square feet of the lot.	In compliance. As proposed the building covers 82% of the lot.
10. Pedestrian weather protection such as awnings or canopies are encouraged along the public street but may be placed only in accordance with an encroachment agreement authorized by the Town Council.	In compliance. No awning or canopies are required.

Comparison Chart	
Standard	Marketplace Development
UDO Section 24.01 Parking Spaces Required Multi-Family Parking Spaces=159 Commercial Spaces (Retail)=156 Use 15.02 Parking Structure= No Min. or Maximum	See Applicant's breakdown in Site Plans on Sheet PDR-1.
UDO Subsection 24.02.02 (Compact Spaces) <i>-Based upon 367 parking spaces-</i> Multi-Family allowed up to 50% compact = 64 spaces Other uses allowed up to 35% compact=73 spaces Total # of compact spaces allowed = 152 spaces (41% of 366 parking spaces)	Deviating from standard as follows: Standard Parking Spaces Provided = 144 Compact Spaces Provided = 222 (60%) (+70 compact spaces, 19%+)
UDO Section 24.09 Bicycle Parking Required Short-Term Spaces = 0 Required Long-Term Spaces = 0	In Compliance. Provided Long-Term Spaces = 88 spaces
UDO Section 24.08 Loading & Unloading Areas Required Loading/Unloading Areas=3	Deviating from standards as follows: Provided= 0
UDO Section 26.07 Signs Permitted in the B1 District Each <u>business</u> is permitted 2 signs from the following categories: attached (wall), canopy or projecting. In no case may the signs be in the same category. Subsection 26.07.02: Attached signs shall not exceed an area equal to ½ foot per linear foot of building frontage with a maximum size of 48 ft ² .	Deviating from standards as follows: Allow all signs as permitted in 26.07.02 to be no greater than 48 ft ² .
UDO Article 25 Community Appearance Standards	The building as proposed meets the requirements of Article 25 Community Appearance Standards with the following exceptions: final colors have not been submitted for review and approval and Staff is requesting that the applicant consider using cast stone in lieu of composite trim.
UDO Subsection 24.03.16(A) (culverts) Building construction is prohibited from being horizontally closer than 10' from the centerline of drainage culverts less than 48" in width.	Deviating from standards as follows: The culvert for the new stormwater/stream conveyance system is as close as approximately 6' to the building (as measured from the centerline of the drainage culvert).

TRAFFIC IMPACT ANALYSIS:

Excerpt from Traffic Impact Analysis provided below. Please see the Marketplace Traffic Impact Analysis for the full report.

8.0 Summary and Conclusion

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

The trip generation indicates that based on the current site plan the proposed project is projected to generate a net total of 1,379 trips per day. This is based on 99-bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The analysis indicates that all study intersections will operate at LOS E or better in the future build conditions. The intersection of Water Street at Rivers Street/ Poplar Grove Road experiences a LOS E in the PM peak, which is typical for a minor street movement onto a major street. As mentioned, NCDOT is considering an intersection conversion to a roundabout at this intersection.

Table 8.0 on the following page summarizes the recommended improvements for the 2018 future build scenario. Improvements are shown in Figure 9 in the report.

In conclusion, this analysis has been conducted based on NCDOT and Town of Boone guidelines and has determined the potential traffic impacts of this development. With the build-out of the site, the analysis indicates there will be adequate capacity to accommodate future traffic. Note that the site accesses should to be designed according to NCDOT standards as appropriate.

Table 8.0 - Recommended Improvement Summary

Water Street at West King Street	No improvements recommended
Water Street at Howard Street	No improvements recommended
Water Street at Rivers Street/ Poplar Grove Road	NCDOT considering intersection modification to a roundabout
Water Street at Proposed Site Access 1	Restripe the lanes to reflect one northbound through lane and one right turn lane; one southbound through lane and one through-left turn lane
Howard Street at Proposed Site Access 2	No improvements recommended
Water Street at Existing Driveway	No improvements recommended
Pedestrian and Bicycle Accommodations	- Sidewalks are currently provided along Water Street, Howard Street and King Street bordering the frontage of the property. - Sharrows should be striped along the frontage of Water Street to accommodate bicyclist. - Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles. - In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.
Transit Accommodations	There is an existing <i>Appa/Car</i> stop on Water Street at West King Street which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.

Comments from P & I staff**Community Appearance and Landscape Standards (Urban Design Specialist)**

I have reviewed the plans for the proposed Marketplace Mixed Use project with a received date of May 2, 2016 and offer the following comments:

1. No colors have been submitted for review.
2. In place of the proposed "Composite Trim" material, staff recommends the use of Cast Stone. With flexibility this would meet the requirement of UDO Section 25.02.04B as a natural stone material. [This will be discussed at the June Community Appearance Commission meeting].
3. Does the lighting plan represent multiples floors of the parking garage? Please clarify.
4. Per Illuminating Engineering Society of North America (IESNA) Chapter 22, Parking Garages, elevated illuminances during the day are needed for the transition from full daylight to the relatively low interior illuminances and typically have a 50 foot transition area into the parking garage entrance(s). Please provide.

Grading/Erosion Control/Stormwater (Environmental Planner)

I have reviewed the plans with a received date of May 2, 2016, for the above referenced project. The following issues will need to be addressed:

1. Encroachment agreements would need to be obtained for stormwater facilities connecting on to public systems.

Comments from Other Departments & Outside Agencies**Public Works:****Services Division (Facilities Maintenance Superintendent)**

The Public Services Department has reviewed the above referenced plan and has the following comments.

1. Please provide clarification how solid waste containers will be emptied at shown location.
2. In regards to the narrowing of South Water Street, the applicant will need to coordinate with the Public Works Department to determine final asphalt lane widths and curb and gutter dimensions.
3. Sidewalk area along South Water Street includes street trees located within tree grates. The applicant shall work with Town Staff to determine location and the species of trees.
4. Sidewalks should be built in accordance with the current plans to add either a brick paver border or full brick paver path depending on sidewalk width.
5. Street lights should be provided along King Street (1 light minimum) and South Water Street (3 lights minimum). Light locations should be coordinated with Town staff.
6. Driveway permits will need to be obtained for South Water Street and Howard Street.
7. The curb and gutter shown on the plans for King Street is not consistent with the existing curb type. Please revise.
8. Applicant will need encroachment agreements for the stormwater conveyance system which will encroach into NCDOT's and Town's right-of-ways.
9. If approved the applicant will need to provide the Public Works Department for review and approval a traffic and pedestrian control plan to include no lane closures during peak traffic hours and which will restrict delivery of construction materials to South Water Street only. This plan shall be in compliance with the requirements of MUTCD.

Utilities Division (Utility Services Technician)

The Public Utilities Division has conducted a plan review for the proposed project on 783 West King St; materials reviewed by this department are dated received 04/29/16 are approved with the following conditions.

1. Details on Water and Sanitary services on future plans.
2. Relocation and or adjustment of Storm Drain in relation to public Water Mains.

Fire Department (Assistant Fire Chief/Fire Marshal)

1. Site Plan: The submitted site plans are approved as submitted.

Applicant's Compliance with Planned Development Requirements	
UDO Subsection	Compliance
UDO Subsection 9.10.03: a PD may be only be proposed for either a development site containing 3 or more acres or a proposed development which includes both commercial and residential uses.	In compliance. The project as contains both commercial and residential uses.

UDO Subsection 9.10.04: The authorization of a PD shall preclude any requirement for obtaining a variance from the Board of Adjustment unless it is a variance to Article 29 Watershed Protection and Article 30 Flood Damage Prevention. Any such variances must be obtained before a public hearing is held on the proposed PD.	In compliance. The applicant has not requested any variances.
UDO Subsection 9.10.05(A)(1): One or more pre-petition consultations with the Administrator, in which the petitioner identifies the development site, its natural features, and the nature of the proposed development.	In compliance. The applicant has had several consultations with Town staff.
UDO Subsection 9.10.05(A): Before submitting the petition, the petitioner must schedule a meeting with owners of property located within 150' of the development site. - The petitioner must provide notice at least 21 days prior to the meeting in accordance with Subsection 1.13.02 herein. - The meeting must be held at an accessible and convenient location in light of available options. - The petitioner must record the names and addresses of all attendees at the meeting. - At the meeting, the petitioner, at a minimum, shall present all the following information: - Contact information of the parties involved in the ownership, design, and development of the property; - The location of the property and general information on the current conditions of the site; - Proposed use(s) and site development; - Any preliminary plans or renderings, if available; and - Any other information deemed pertinent by the Administrator. - The petitioner shall provide the Administrator with a report which details the meeting including any concerns expressed by attendees and any commitments made by the petitioner. This report shall be included in the staff report.	In compliance. Please see applicant's "Howard Street Ventures Planned Development Neighborhood Meeting".
UDO Subsection 9.10.05(B)(1): A site specific development plan addressing plan aspects identified in Appendix A, identifying all development specifics which deviate from the standards of this Ordinance.	In compliance. The applicant has submitted a site specific development plan and a separate narrative identifying all development specifics which deviate from the standards of this Ordinance. Please see applicant's "Deviation Analysis in Accordance with UDO 9.10.05(B)(1)".
UDO Subsection 9.10.05(B)(2): Written analysis, tailored to specifically address the characteristics of the particular location, addressing how the planned development will effectively and to the greatest degree reasonably possible, mitigate the impacts of the	Yes. Please see applicant's "Mitigation Analysis in Accordance with UDO 9.10.05(B)(2)".

proposed development on the surrounding area, including but not limited to: a. noise impacts; b. light impacts; and c. any other predictable negative effect, including but not limited to: i. negative visual effects; ii. negative traffic effects; and iii. negative health effects.	
UDO Subsection 9.10.05(B)(3): Information to demonstrate compliance with all mandatory requirements of this Ordinance, including: a. Article 5 Subdivisions (for purposes of this Section the Town Council is the approval authority for major subdivision preliminary plats); b. Article 8 Historic Preservation; b. Article 19 Grading; c. Article 20 Soil Erosion and Sediment Control; d. Article 21 Stormwater Management; e. Article 22 Utilities; f. Article 29 Watershed Protection; g. Article 30 Flood Damage Prevention;	In compliance. If approved, additional technical details will be required to determine full compliance with the requirements of these Articles (as applicable).

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 Comprehensive Plan Update](#)

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area. The Primary Growth Area is that portion of the urban growth area where urban level of facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

Comprehensive Plan Policies: Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Board should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.

2.1.2 Commercial Development

- B. Commercial and office development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.
- C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.
- D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.
- 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.
- G. Effective buffering and/or landscaping shall be provided where a large scale or automobile-orientated commercial or office use adjoins an existing or planned residential use.
- 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.

2.1.5 Downtown

- A. A compatible design character for the downtown area, drawing upon the locality's original High Country small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.
- B. The Town, in concert with the downtown property owners and merchants, shall encourage public and private efforts to develop and publicize adequate and appropriately designed off-street parking lots in the downtown area.
- C. A variety of mutually compatible and supportive mixed uses shall be encouraged in the downtown area.
- E. Public and private development decisions in the downtown area shall exhibit a special concern for maintaining the intensive, pedestrian oriented character of the district.
- F. The maintenance and revitalization of downtown Boone, as well as planning for its future development, will reflect the realities and qualities befitting its geographical setting and function as a center of (1) commercial and service activities, (2) educational and cultural activities, events and (3) public services.

2.2 THE INFRASTRUCTURE

2.2.1 Transportation

- I. Driveway cuts along major streets and roads shall be limited to allow these streets to serve primarily as safe traffic movement corridors or, alternatively, to maximize curb frontage for on-street parking.

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.

- E. The Town shall employ incentives to encourage a concentration of intense urban type development within the Urban Growth Area.

2.2.4 Public Safety

- D. The Town shall place renewed emphasis on enforcement of the state building code and flood prevention regulations to avert or minimize loss of life and property during natural disasters.

2.2.5 Environmental Quality

- C. Development activities in the 100 year floodplain or near lakes or streams shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural or forestry activities shall be preferred.
- E. Development which preserves the natural features of the site, including existing topography, streams and significant trees and vegetation, shall be reflected in the Town's Development Standards.

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.2 Community Character

- 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.

2.3.3 Housing and Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
- C. Proposed residential development which would expose residents to harmful effects of incompatible development or to environmental hazards shall be prohibited.
- C. Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources.
- D. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.
- G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas.

BOONE 2030 LAND USE PLAN

[Click here to view the Boone 2030 Land Use Plan](#)



These properties are located within the G-4 Downtown Boone sector and are also located in a Regional Center. The G-4 sector is comprised of areas with existing development, with a relatively dense street grid, and which are appropriate for redevelopment or additional development. These areas are shown in the purple color on the Framework Map. This includes the historic downtown and the King Street corridor as far east as Hardin Street. This area is, in large respect, appropriate for redevelopment and new infill development and well served with infrastructure (roads, utilities, etc.), and access to services and amenities. Because this area is already well provided for in terms of urban services, it is one of the most efficient and most attractive area for redevelopment of underutilized land or development of vacant parcels. It is also one of the best areas for development in terms of minimizing new environmental impacts to natural areas since the area has been built upon since Boone's founding. In-depth discussion of concepts for downtown development, redevelopment and infill neighborhood development is included in the Downtown Boone section of the Land Use Plan. In general, however, the following development types and uses are appropriate in the G-4 sector, continuing in the historic pattern of mixed-use

downtown development in Boone. Appropriate land uses/development types include: single-family and multi-family residential, commercial uses (retail and office), mixed-use development, civic uses, light industrial uses

Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger black circles on the map. Regional centers are envisioned for downtown Boone and the historic university core; around the hospital and the current high school site; and at the intersection of US 321 and NC 105; and around the intersection of US321 and Shadowline Drive. These centers will provide the highest concentrations of residential and employment in the Plan area.

Certification of Notification by Mail

I, Marlene Crosby, certify that individual notices meeting the requirements of Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO were placed in the mail (first class) on May 24, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Chris Grubb, certify that the subject property was posted as required in Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO on May 24, 2016.

Chris Grubb, Environmental Planner

Staff Analysis and Recommendations

This project is located in the downtown area, near Appalachian State University and adjacent to Boone Creek and the recommended West Downtown Alive multi-use trail.

If Council approves the request, Staff recommends the following conditions:

1. Where there is a conflict between the application information and the plans (site plans and architectural plans bearing a received date of May 27, 2016), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
5. The applicant will be required to satisfy all NCDOT requirements prior to the issuance of a Zoning Permit.

Planned Development Procedural Information

Per UDO Subsection 14.05.01(B):

A PD creates a sui generis (unique) zoning district not limited to the authorized uses and the development standards of a specific existing zoning district and may be subjected to conditions that make the development plan more desirable. A PD is intended to permit the establishment of areas in which diverse uses may be combined and integrated through careful planning to provide a unified and compatible development which is consistent with adopted plans, and which may reasonably be expected to result in a quality of living environment which is more closely in keeping with the purposes of zoning than would otherwise likely be obtained. It is not the intent of the Town Council that the PD district become a “loophole” designed to permit otherwise illegal contract, conditional or spot zoning, or clandestine institution of an unlawful use variance. Rather the PD district is intended to permit further refinement and more detailed expression of adopted plans in situations where the owners of the property present a development plan which is found to be in the public interest and consistent with adopted plans.

1. A PD should only be approved upon the following findings:
 - a. That the proposed PD will produce a development of equal or higher quality than otherwise required by the strict application of district regulations that would otherwise govern;
 - b. That the proposed PD will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design;
 - c. That the proposed PD will produce a development functioning as a cohesive, unified project; and
 - d. That the proposed PD will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the Town.

PLANNING BOARD REPORT

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

First motion and vote: The proposed Amendment to the Town’s zoning map ☐is OR ☐is not consistent with the Town’s comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning map and believe ☐ approval OR ☐denial is reasonable and in the public interest because:

Zoning/Planning Permit Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607
Phone (828) 268-6960 ♦ Fax (828) 268-6961
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
☐ Commercial
☐ Board of Adjustment Hearing (other than Appeals)
☒ Planning/Other

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: PO Drawer 192, Boone, NC 28607
Phone Number: _____ Email Address: _____
Property Owner: _____ Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): NA
Address/Location: NA
Project Name: Wellness District- UDO Text Amendment

C. PERMIT SUBCATEGORIES

Additional Forms Needed

Zoning Permits

- | | |
|---|---|
| ☐ Accessory Building | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Addition/Expansion including decks and patios | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Change of Occupancy | *Commercial Project Data Form |
| ☐ Land Disturbance (not associated with the construction of a bldg.) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Manufactured Home Set-up in Park | *Manufactured Home in Park Form |
| ☐ New Building Construction | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Renovation/Remodel | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Accessory Use (as listed in UDO Subsection 15.07.01) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Temporary Use (as listed in UDO Subsection 15.07.02) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Sign | *Sign Project Data Form (Zoning) |
| ☐ Pavement Sealant | *Pavement Sealant Project Data Form |
| ☐ Major Subdivision Zoning Permit | *Commercial Project Data Form |

Board of Adjustment Hearings

- | | |
|--|---|
| ☐ Special Use Permit/Modification | *Special Use Permit Form |
| ☐ Variance | *Variance Form |
| ☐ Major Subdivision Preliminary Plat Approval | *Major Subdivision Preliminary Plat Approval Form |

Planning/Other

- | | |
|---|--|
| ☐ Exempt Division of Land | *Subdivision Exemption Project Data Form |
| ☐ Minor Subdivision (Preliminary and Final Plat) | *Minor Subdivision Project Data Form |
| ☐ Major Subdivision (Final Plat) | *Major Subdivision Final Plat Project Data Form |
| ☒ UDO Text Amendment | *Text Amendment Project Data Form |
| ☐ General Use Zoning Map Amendment | *General Use Map Zoning Map Amendment Project Data Form |
| ☐ Conditional District Zoning Map Amendment | *Conditional District Zoning Map Amendment Project Data Form |
| ☐ Voluntary Annexation | *Annexation Petition (Satellite or Contiguous) |
| ☐ UDO Text Interpretation | *UDO Interpretation Data Form |

D. DETAILED DESCRIPTION OF PROJECT

See Project Data Form

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: NA Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

F. DESIGN PROFESSIONAL INFORMATION**Engineer: NA**

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

Architect: NA

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

G. APPLICANT SIGNATURE: By signing this form you are certifying that this application and any attached information is accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

WD Small Area Plan &
 Direction to Prepare
 Text by TC in 11/2015

Bill Bailey, Planning Director**Applicant¹ (Print)****Applicant Signature****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Wellness District– UDO Text Amendment

Permit Number:

20160295

Project Name/Number:

NA

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
May 2016	NA	NA	NA	NA

S:\FORMS\Forms_2015\ZoningPermitApplication_052015.doc

¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

UDO Text Amendment Project Data Form

Town of Boone Planning & Inspections Department
 680 W. King Street, Suite C ♦ Boone, North Carolina 28607
 Phone (828) 268-6960 ♦ Fax (828) 268-6961
www.townofboone.net

Official Use Only**Project Name/Number:**

Wellness District Standards- UDO Text Amendment

Permit Name/Number:

20160295

A. TEXT INFORMATION**Amendment is to:**Article(s): Article 14 Zoning Districts & Zoning Maps; NEW Article 17 Wellness District Standards;Section(s): Section 14.02 Commercial Districts Established & all new Sections in Article 17**Brief Description of Amendment (Attach Proposed Text):**Creation of Wellness District zoning district to coincide with the Wellness District Small Area Plan.**Reason for Change:**

In November 2015 Council adopted the Wellness District Small Area and directed Staff to draft standards for a new Wellness District zoning district. The attached standards were formulated based upon the language located within the Wellness District Small Area Plan.

Official Use OnlyPublic Hearing Meeting Date: June 6, 2016PC Meeting Date: June 13, 2016TC Meeting Date: June 16, 2016Text Approved: ☐ Yes ☐ No

Date UDO Updated: _____

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Communication: Wellness District Standards-UDO Text Amendment Staff Report (Case 20160295 Wellness District Standards)

**STAFF REPORT
SPECIAL PUBLIC HEARING
JUNE 6, 2016**



CASE 20160295 WELLNESS DISTRICT STANDARDS- UDO TEXT AMENDMENT

Request

In November 2015 Town Council adopted the Wellness District Small Area Plan and directed Staff to draft standards for a new Wellness District zoning district. Draft standards are presented within this report. These standards were formulated using the language and guidance located within the Wellness District Small Area Plan.

[Click here to view the Wellness District Small Area Plan](#)

DRAFT TEXT

The text below in ~~red strikethrough~~ is the text proposed to be deleted and the blue underline is the new text for consideration. Please note, text amendments will now contain the case number and effective date in italicized font at the end of the section in which the text was modified. In addition, items highlighted in yellow are items that were incomplete at the time of publication or are items that need to be discussed. Incomplete items will be completed in time to be discussed at the public hearing.

14.02 Commercial Districts Established

- 14.02.01** The following commercial districts are hereby established: B1, B2, B3, ~~and OI~~, and WD. These districts are created to accomplish the purposes and serve the objectives set forth in the remainder of this Section.
- 14.02.02** The B1 Central Business District is intended to provide for the development of the commercial and service center for the Town while maintaining its character, and to encourage appropriate residential uses in the central area of Town, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- 14.02.03** The B2 Neighborhood Business District is intended to provide for the development of low-density commercial and services that are accessible by pedestrians and cyclists from surrounding neighborhoods, which serve the day to day convenience needs of surrounding neighborhoods, and are of such nature as to be in harmony with the neighborhoods they serve. Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- 14.02.04** The B3 General Business District is established to provide a wide range of consumer goods, convenience goods and personal services for the community and surrounding region.

Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.05 The OI Office/Institutional District is established to provide a zoning district which promotes the development of moderately intensive office and institutional uses which are oriented toward the provision of services versus the sale of products. Appropriate small scale residential uses are allowed in this district to the point they support allowable office and institutional uses. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.06 The Wellness District (WD) is established to provide an area-specific zoning district located around the local hospital to promote a diverse mixture of medical, education, office, retail and residential uses within a compact, vibrant pedestrian oriented center while encouraging community interaction and transportation options.

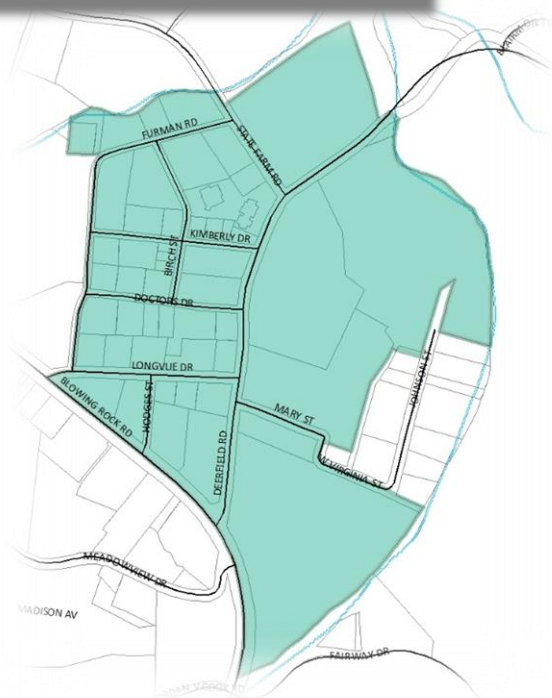
Article 17 **Wellness District Standards**

17.01 **Applicability**

17.01.01 The Wellness District (WD) is guided by the goals, objectives, policies and standards of the Wellness District Small Area Plan.

17.01.02 Figure 17-1 below shows the boundaries of the WD.

Figure 17-1 Wellness District Boundaries



17.01.03 No provision in this article shall be applicable to any property lying outside the boundaries of the WD.

17.01.04 Except as provided herein, development within the WD shall comply with all standards as set forth in this Ordinance.

17.01.05 This article shall govern in the event of conflicts with other regulations of this Ordinance.

17.02 **District Use Requirements**

17.02.01 Except as provided herein, all principal, accessory and temporary uses within the WD shall comply with Article 15 District Uses.

17.02.02 Except for educational uses and medical uses, development containing more than 20,000 square feet or having building footprints greater than half an acres shall provide for a mix or two or more (2+) principal uses.

17.02.03 The permitted uses allowed within the Wellness District are those permitted under the Town of Boone, Unified Development Ordinance, Article 15, District Use Requirements as of the date of the approved Wellness District Small Area Plan and are further limited herein.

A. Table of Principal Uses

Use #	Specific Use	Reference
1.0 Household Living		
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)	17.02.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)	
1.16	Multi-Family Dwelling in Mixed Use (>100 bedrooms)	
2.0 Group Living		
2.05	Nursing Care Home	15.13
2.06	Nursing Care Institution	15.15
2.07	Skilled Nursing Facility	15.14
2.09	Retirement Community, Category 2	15.15
3.0 Transient Living		
3.07	Hotel	
4.0 Institutional Uses		
4.05	Post Office	
5.0 Government Uses		
5.12	Police Substation	
7.0 Telecommunication		
7.11	Emergency Response Communications	
8.0 Assembly		
8.01	Religious Assembly, Category 1	
9.0 Education		
9.01	Appalachian State University (no residential uses allowed)	
9.02	Caldwell Community College & Technical Institute (no residential uses allowed)	
9.03	Other Public Colleges & Universities (no residential uses allowed)	
9.04	Other Private Colleges & Universities (no residential uses allowed)	
10.0 Daycare		
10.01	Child Daycare, Large	15.25
10.02	Child Daycare Center	

Use #	Specific Use	Reference
<u>10.04</u>	<u>Adult Daycare Center</u>	
11.0 General Sales and Service:		
<u>11.04</u>	<u>Financial Institution ≤ 5,000 ft²</u>	
<u>11.05</u>	<u>Financial Institution > 5,000 ft²</u>	
<u>11.06</u>	<u>Restaurant ≤ 2,500 ft² open to the public during 10 pm – 6 am</u>	
<u>11.07</u>	<u>Other Restaurants ≤ 2,500 ft²</u>	
<u>11.08</u>	<u>Restaurant > 2,500 ft² open to the public during 10 pm – 6 am</u>	
<u>11.09</u>	<u>Other Restaurants > 2,500 ft²</u>	
<u>11.13</u>	<u>Other Personal Service Establishments</u>	
<u>11.14</u>	<u>Retail Store up to 5,000 ft²</u>	
<u>11.15</u>	<u>Retail Store more than 5,000 but less than 25,000 ft²</u>	
<u>11.16</u>	<u>Retail Store 25,000 ft² and greater</u>	<u>17.02.05</u>
<u>11.18</u>	<u>Business/Professional Office open to the public during 10 pm–6 am</u>	
<u>11.19</u>	<u>Other Business or Professional Office</u>	
<u>11.20</u>	<u>Medical Office, Category 1</u>	
<u>11.21</u>	<u>Medical Office, Category 2</u>	
<u>11.22</u>	<u>Medical Office, Category 3</u>	
<u>11.23</u>	<u>Medical Office, Category 4</u>	
<u>11.24</u>	<u>Hospital</u>	
<u>11.25</u>	<u>Medical Emergency Response</u>	
<u>11.35</u>	<u>Therapy Farm</u>	
12.0 Recreation		
<u>12.10</u>	<u>Recreation Facility, Category 1</u>	
15.0 Parking		
<u>15.01</u>	<u>Parking Structure</u>	<u>17.02.06</u>

B. Table of Accessory Uses

Use #	Specific Use	Reference
<u>A-2</u>	<u>Home Occupation</u>	<u>15.53</u>
<u>A-4</u>	<u>Limited Non-Restaurant Drive-Through</u>	
<u>A-7</u>	<u>Outdoor Dining</u>	<u>15.58</u>
<u>A-8</u>	<u>Automated Teller Machine (ATM)</u>	
<u>A-9</u>	<u>Automated Teller Machine (ATM), Freestanding</u>	<u>15.59</u>
<u>A-19</u>	<u>Helistop</u>	
<u>A-20</u>	<u>Swimming pools, spas and hot tubs</u>	<u>15.66</u>

C. Table of Temporary Uses

Use #	Specific Use	Reference
<u>T-3</u>	<u>Temporary Construction Trailer</u>	<u>15.69</u>
<u>T-4</u>	<u>Temporary Mobile Medical Unit</u>	
<u>T-5</u>	<u>Temporary Classroom</u>	
<u>T-8</u>	<u>Temporary Non-Fixed Site Event Venue</u>	
<u>T-9</u>	<u>Temporary Carrier on Wheels (COW)</u>	
<u>T-11</u>	<u>Temporary Itinerant Merchant/Peddler</u>	

17.02.04 **WD Supplemental Regulations for Multi-Family in Mixed Uses**

- A.** For purposes of this Section, “commercial” shall include any of the uses listed in Subsection 17.02.02(A) above.
- 1.** Exception: Use 15.01 Parking Structure does not qualify as an acceptable commercial use.
 - 2.** Other than a leasing office, an amenity for the multi-family residential portion of the development which is also open to the public does not qualify as an acceptable commercial use.
- B.** No single-use residential buildings are allowed. Residential mixed-use are only allowed as part of a mixed-use building.
- C.** Each development shall provide at a minimum ground floor/street level commercial uses along the primary and secondary facades.
- 1.** Residential uses are not permitted on the ground floor/street level of the building.
- D.** A mixture of residential dwelling unit types is required. No one type of dwelling unit, as defined by the number of bedrooms shall comprise more than fifty percent (50%) of the units.
- E.** Occupancy of each residential unit shall be limited to family or to (3) unrelated persons.

17.02.05 **WD Supplemental Regulations for Retail Store 25,000 ft² and greater**

- A.** Use 11.16 is only permitted on properties located within the Corridor Overlay District and which border Blowing Rock Road.
- B.** Use 11.16 within the WD area must meet all additional requirements as set forth in Section 15.27.

17.03 **District Standards**

17.03.01 Only the density standards set forth in this Article apply to development within the WD.

17.03.01 **Minimum Gross Land Area:** 10,000 square feet

17.03.03 **Minimum Landscaped Area:** Twenty percent (20%) of gross land area excluding street right(s)-of-way which meets the requirements of Section 17.06.

17.04 **Building Form**

17.04.01 **Building Orientation:** Buildings and their principal entry points, should be oriented toward the public street with the primary façade, architectural elements and entrances clearly identifiable and directly accessible.

17.04.02 **Building Siting**

- A.** **Setbacks**

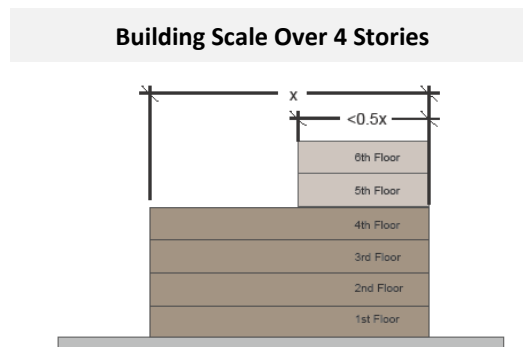
1. Build-to-lines are 0-foot minimum/20-foot maximum from the edge of the public realm and/or any public space.
 2. If the required public walkway encroaches onto private property, the build-to-zone will be measured from the walkway edge.
 3. Interior setbacks shall be based on minimum fire separation required between buildings.
- B.** Buildings along the public rights-of-way shall be a minimum of 60% of the primary property frontage.

17.04.03 Building Height

- A.** Minimum building height shall be two (2) stories.
- B.** Maximum building height shall be six (6) stories.
- C.** Building height shall be measured by the number of stories from the first floor (defined as the street level floor).
1. Equipment penthouses or building parapets are exempt from building height measurements.
- D.** Corner buildings may exceed the maximum building height by 15% for 20% of the building frontage along each corresponding street as measured from the corner of the building.

17.04.04 Building Scale: Buildings greater than four (4) stories must adhere to at least one of the following design standards:

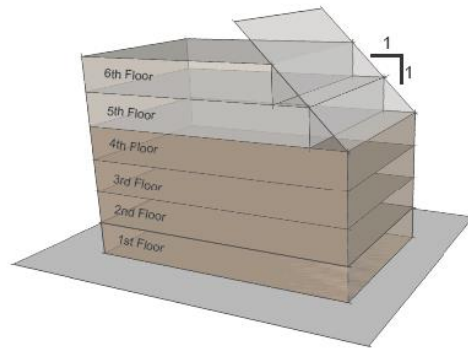
- A.** Building planes extending above four (4) stories shall be less than 50% of the total building facade along the street,



and/or

- B.** Buildings greater than four (4) stories shall step back the building plane at a 1:1 ratio along the street façade. For every foot above the maximum permitted building height, the building plane may extend upward one foot for every additional foot setback.

Building Setback Over 4 Stories



17.05 Architectural Standards

17.05.01 **Façades:** Building facades facing a publically accessible street or other public space shall incorporate the following design standards:

A. Buildings may have up to 3 different types of façades:

1. The primary façade is the side of the building which faces the public street and which contains the building's primary pedestrian entrance.
2. The secondary façade is the side of the building which faces a public street and which may contain additional pedestrian entrances.
3. All other façades are those which do not face a public street.

B. **Façade Variation:** Buildings shall have architectural features and patterns that provide visual interest while supporting a clear and unified image throughout the development and include:

1. Building façades shall be constructed parallel to the street frontage to the greatest extent possible.
2. Secondary façades shall be treated with the same design and materials as the primary façade.
3. Purposeful variation or accents in materials, textures and colors are required.
4. Horizontal and vertical divisions such as banding and repetitive window patterns.
5. Primary and secondary façades shall include clear delineation between the first or second level and the upper levels with a cornice, canopy, awning, balcony, arcade or other architectural feature.
6. The mass of the building shall be reduced by changing building planes through offsets and recesses, changing the building heights and varying the parapet or roof heights.
7. All building façades shall have perceivable, repetitive features and patterns such as windows, columns or other vertical features.

8. All building façades shall avoid long and monotonous wall and roof planes. Windows and doors are to front onto the street, with direct pedestrian access to the street front sidewalk.
9. Blank walls and non-transparent windows are prohibited along pedestrian areas and public spaces to help provide for pedestrian comfort, security and points of interest.
10. For large projects, each sequential block of new construction shall contain unique building facades so as to encourage architectural variety within large projects. While the use of similar architectural elements on multiple buildings is acceptable, large visually monotonous projects with repeating exterior building design(s) does not contribute to visual diversity and human-scale character and therefore is inappropriate.

C. Building Materials: Building materials shall be in harmony with the rest of the development to create a sense of place and attraction with the surrounding community. The following material standards apply to all structures, including parking structures, in the district:

1. Permitted building façade materials include: brick, natural stone, cast stone architectural precast stone, glazed curtain wall and window wall systems, architectural precast concrete and architectural- grade metal panels (galvanized, painted or ornamental).
2. Stone:
 - a. For primary building facades, a minimum of thirty-five percent (35%) of the building finish material must be stone. Stone must be utilized in a horizontal and vertical manner.
 - b. For Secondary facades, a minimum of twenty-five percent (25%) of the building finish material must be stone. Stone must be utilized in a horizontal and vertical manner.
 - c. For all other remaining facades, a minimum of ten percent (10%) of the building finish material must be stone.
3. Wood: Porches, balconies, breezeways, pergolas, deep eaves, eyebrows, corbels, trellis and other features are encouraged to be made of wood with a natural finish which generally should not exceed 10% of the major façade.
4. All other materials shall be a compliment or an accent application not to exceed 10% of building facade.
5. The use of clear or lightly tinted colored glass (30% maximum tint) is required.
6. Large uninterrupted expanses of a single material are prohibited.
7. Spandrel glass is permissible only to hide the structural features between the floors of a building.
8. Vinyl or aluminum siding and colored or mirrored/reflective glass is prohibited.

D. Building Color: Building colors shall be in harmony with the rest of the development to create a sense of place and attraction with the surrounding community. The following color standards apply to all structures, including parking structures:

1. Building materials colors (brick, stone, tile, precast stone) shall be subtle, neutral and nature blending.
2. Colors for other manufactured building materials shall be subtle and neutral and shall be compatible with the colors identified in Figure 17-2.
 - a. Stark white and black are prohibited as field colors. (place in table)
3. Building accent colors, including awning and canopy colors, should complement the primary materials and colors used on the building. Accent colors are limited to no more than 10% of each separate façade and shall be compatible with the colors identified in Figure 17-2.
4. Generally no more than four colors are allowed per building (including all materials).
5. Corporate branding colors are permitted on logos and signage.

Figure 17-2 Permissible Field Colors					
Select Benjamin Moore - America's Colors Palette					
<u>AC-1</u>	<u>AC-8</u>	<u>AC-15</u>	<u>AC-22</u>	<u>AC-29</u>	<u>AC-36</u>
<u>AC-2</u>	<u>AC-9</u>	<u>AC-16</u>	<u>AC-23</u>	<u>AC-30</u>	<u>AC-37</u>
<u>AC-3</u>	<u>AC-10</u>	<u>AC-17</u>	<u>AC-24</u>	<u>AC-31</u>	<u>AC-38</u>
<u>AC-4</u>	<u>AC-11</u>	<u>AC-18</u>	<u>AC-25</u>	<u>AC-32</u>	<u>AC-39</u>
<u>AC-5</u>	<u>AC-12</u>	<u>AC-19</u>	<u>AC-26</u>	<u>AC-33</u>	<u>AC-40</u>
<u>AC-6</u>	<u>AC-13</u>	<u>AC-20</u>	<u>AC-27</u>	<u>AC-34</u>	<u>AC-41</u>
<u>AC-7</u>	<u>AC-14</u>	<u>AC-21</u>	<u>AC-28</u>	<u>AC-35</u>	<u>AC-42</u>
Permissible Accent Colors					
Select Benjamin Moore – Color Preview Palette					
<u>Benjamin Moore Color Pre-View Series 2049-10 through 2174-70.</u>					

E. Building Fenestration: Fenestrations (windows and doors) should maximize the views and allowable daylight into spaces.

1. For all street level/ground floor uses located along public streets and other public spaces, 60-90% of all wall area between two (2) and twelve (12) feet shall consist of transparent glazing (clear windows and doors). Upper floors fronting public rights-of-way shall consist of 30-70% windows.
2. Fenestrations shall be spaced thirty (30) linear feet maximum between features.
3. Ground floor restaurants are encouraged to provide windows and doors that can be opened to provide direct access to the sidewalk when weather permits.

F. Pedestrian Entrances:

1. All buildings shall have their main pedestrian entrance opening to a street, courtyard garden or square. When street level uses have entries from more than one street or from other public spaces, the primary entrance will be from the street.
2. A pedestrian entrance is required to access public spaces which adjoin the building.
3. Retail uses with exterior ground level visibility along a street or public space shall have individual public entries from the street or public space in addition to internal entries.
4. Street level retail uses located on building corners shall locate entrances at the corner.
5. Buildings adjacent to existing or planned trails, open spaces or parks shall provide public entries along the façade fronting these amenities.
6. Entrances shall provide shelter from inclement weather.

G. Roofs: Roof lines should have visual interest and features complementing the overall character of the building and the development.

1. Rooftop penthouse enclosures should be architecturally compatible and predominantly of the same material as the building.
2. Single-sloped shed roofs, mansard or vaulted/arched roofs are prohibited.
3. Flat roofs shall be concealed from pedestrian view with a parapet wall.
4. Publically visible roof materials shall be standing seam metal, asphalt shingles, shakes or tile.
5. Publically visible plumbing vent stacks shall be colored to match the roofing material.
6. "Green" roofs utilizing plants to absorb rainwater and reduce ambient air temperatures are strongly encouraged.
7. Rooftop amenities such as sun decks are encouraged.

H. Mechanical/ Service Equipment & Solid Waste Enclosure Screening: All properties shall minimize the visual impact of mechanical/ service equipment and solid waste facilities from the public right-of-way.

1. Service areas, storage areas, restaurant grease receptacles and refuse enclosures should be oriented away from public view and screened from public areas.
2. Service and refuse areas are encouraged to be clustered together where feasible at the rear of the building.
3. Solid waste and recycling enclosures and all other waste storage or containers, other than streetscape and site furnishing trash receptacles, shall be designed into a structure or building, or shall be screened from adjacent public streets by an opaque enclosed structure (see detail in UDO Subsection 22.13.03) compatible with the building architecture.
 - i. Additional landscape plantings compatible with the overall landscape plan may be required outside of the enclosures to soften the appearance from public view.
4. Utility cabinets and pedestals should not be located within parking lot landscape islands or the public right-of-way where they cannot be screened, are exposed to damage from vehicles and/or present a hazardous visual obstruction to drivers or pedestrians.
5. Meter boxes shall not be located along the front of buildings and screened if located on the side of a building.
6. Ground level mechanical equipment shall be screened by a structure that complements the design of the building through the use of similar materials, colors, finishes and architectural details. Additional landscape plantings compatible with the overall landscape plan shall be required outside of the structure to soften the appearance from public view.
7. All rooftop mechanical equipment should be screened from view from adjacent properties and adjacent right-of-way by use of parapet walls or screens designed to be compatible with the building architecture.
8. Elevator penthouses shall be screened by a structure that is architecturally compatible with the design of the building through the use of similar materials, colors, finishes and architectural details used on the primary building façade.

17.06 Landscape Standards

17.06.01 Landscaping promotes sustainable development, minimizing negative impacts on natural resources and is vital to softening the harshness of paved areas and buildings while enhancing a sense of place.

17.06.02 Compliance

A. All plant material must comply with Appendix B, Guide for Landscaping. All plant material must comply with the latest edition of the American Standard for Nursery Stock published by the American Nursery and Landscape Association.

- B. Plant material must be locally adaptable species and hardy to Zone 6 in accordance with the US Department of Agriculture's Plant Hardiness Zone Map and comply with the Town of Boone Approved Plant List in Appendix B.
 - 1. Xeriscaping and water conservation landscaping is an encouraged alternative. The practice of Xeriscaping includes the use of native grasses, low-water need plant material, and the addition of soil amendments and mulching. Refer to the plant list in Appendix B for a list of Xeriscaping compatible plant material.
- C. Necessary pruning and trimming shall be in accordance with UDO Section 31.12.04, Prohibited Pruning, and must be done in strict accordance with the current edition of "Tree, Shrub, and other Woody Plant Maintenance – Standard Practices" of the American National Standard for Tree Care Operations (ANSI 300).
- D. All plants and materials fulfilling the landscape requirements shall meet the following minimum installation sizes and types:
 - 1. Large deciduous shade trees shall be a minimum three inch (3") caliper with a height of fourteen to sixteen feet (14' – 16') at planting.
 - 2. Small to medium sized deciduous ornamental trees shall be a minimum two inch (2") caliper with a height of ten to twelve feet (10' – 12') at planting.
 - 3. Evergreen trees shall be a minimum of eight feet (8') in height at planting.
 - 4. Shrubs shall be a minimum of twenty-four inches (24") in height and spread at the time of planting.
 - 5. All sodded or seeded lawn areas must be comprised of a Bluegrass/Fescue blend.
 - 6. Mulch shall be dark hardwood three inches (3") in thickness.
 - 7. Landscaping shall not obstruct the views of motorists using any street, driveway or parking aisle and comply with a ten feet (10') by seventy feet (70') sight distance triangle.

17.06.03 Street Yard Landscaping

- A. A street yard consists of a landscape area parallel to the public right-of-way, typically between the sidewalk and the development, designed to provide continuity of vegetation along the public realm and soften the impact of the development by providing a pleasing view from the street.
- B. The street yard must contain a combination of the following:
 - 1. An average of one (1) large deciduous tree three inch (3") minimum caliper (unless subject to overhead power lines) per thirty feet (30') of street frontage. Innovative design in tree arrangement is encouraged.
 - 2. An average of one (1) low growing small shrub, ornamental grasses per five feet (5') of street frontage with a minimum of twenty-four inches (24") in height and spread at the time of planting. A minimum 60% of the shrubs must be evergreen.

3. A minimum twenty percent (20%) of the front street shall be turf and must be sodded. Turf shall be located on the street side of the front street yard.
4. Seasonal color is encouraged in the front street yard with an emphasis on the entrance areas.
- C. Although no street yard setback is required (0' minimum, 20' maximum build-to-zone), where the building is setback, a front street yard is required.
- D. Parking areas fronting a street or side street shall be separated from the sidewalk and/or right-of-way with a ten feet (10') minimum planting yard consisting of a minimum three feet (3') height screen, except where vehicular sight lines may be impaired. Screening should consist of one or more of the following:
 1. A decorative, opaque masonry wall (2' minimum/3' maximum height) compatible in composition, appearance, color and architectural detail with the proposed building and landscaping.
 2. An undulating earthen berm (3' minimum height) and landscaping not exceed a slope of 3H:1V.
 3. A continuous hedge row of evergreen shrubs (3' minimum/4' maximum height), shade trees (1/30lf) and groundcover. Understory ornamental trees, small evergreen trees, flowering shrubs, ornamental grasses, and/or perennials must be supplemented for color and visual interest.
- E. The following trees are required based upon location:

Street Tree Planting Schedule		
<u>Street Tree</u>	<u>Species</u>	<u>District Street</u>
<u>'Allee' Lacebark Elm</u>	<u><i>Ulmus parvifolia 'Allee'</i></u>	<u>Deerfield Road</u>
<u>'Hightower' Willow Oak</u>	<u><i>Quercus phellos 'QPSTA'</i></u>	<u>State Farm Road/Longvue Road</u>
<u>Bald Cypress</u>	<u><i>Taxodium distichum</i></u>	<u>Furman Road</u>
<u>'October Glory' Red Maple</u>	<u><i>Acer rubrum 'October Glory'</i></u>	<u>Doctors Drive/Kimberly Drive</u>
<u>'Panache' Shumard Oak</u>	<u><i>Quercus shumardii 'QSFTC'</i></u>	<u>Birch Street</u>
Alternate Compliance Ornamental Trees		
<i>(for use only with existing overhead power lines as main street tree with approval from Urban Design Specialist)</i>		
<u>Street Tree</u>	<u>Species</u>	
<u>'Forest Pansy' Redbud</u>	<u><i>Cercis Canadensis 'Forest Pansy'</i></u>	
<u>'Kwanzan Cherry</u>	<u><i>Prunus serrulata 'Kwanzan'</i></u>	
<u>Kousa Dogwood</u>	<u><i>Cornus kousa</i></u>	

17.06.04 Interior Landscaped Areas

- A.** Landscaped areas other than street yards, must meet the following standards must be met:
1. Areas must be a minimum of eight feet (8) in width.
 2. A minimum of 5 Large Deciduous Trees per one-hundred feet (100') of linear landscaped area length, or more based on the need to provide additional trees to meet tree canopy coverage requirements.
 3. A minimum of 2 Small Deciduous/Ornamental Trees per one-hundred feet (100') of linear landscaped area length, or more based on the need to provide additional trees to meet tree canopy coverage requirements.
 4. A minimum of 8 Large Evergreen Trees per one-hundred feet (100') of linear buffer length.
 5. A minimum of 12 Shrubs per one-hundred feet (100') of linear buffer length.
- B.** Required buffers shall not be disturbed for any reason except for open/public spaces, driveway openings or connectors, pedestrian or bike paths, designated greenways, utilities, drainage ways, bio-retention areas, walls, fences, and other passive or minor uses compatible with the general separation of land uses and provided that the total number of required plantings are still met.

17.06.05 Foundation Landscaping

- A.** Vehicular surface areas shall be separated from building facades by both a five feet (5') minimum foundation planting area and pedestrian walks leading to building entrances.
- B.** This area shall contain small ornamental and evergreen trees, low growing shrubs (minimum 60% evergreen), ornamental grasses, ground cover, turf or combination thereof complimentary of the architectural façade and shall sufficiently mass the landscaped area.

17.06.06 Tree Pit/Plaza Landscaping

- A.** A minimum six (6) foot by six (6) foot opening, clear of utilities, shall be provided for all trees.
- B.** Root barriers shall be provided for all tree plantings.
- C.** Tree grates or other approved devices shall be provided around all trees in hard surfaced areas to ensure adequate water and air penetration.
- D.** Structural soils are encouraged within tree pit areas.

17.06.07 Parking Area Landscaping

- A.** To break up large expanses of parking and to provide shading, landscaping shall be installed in and around parking areas. Required plantings shall be located within or

adjacent to parking areas, in parking islands, medians, at the end of parking bays, or between rows of parking.

1. Landscape islands are required so that no parking space is more than fifty feet (50') from the trunk of a large deciduous tree.
2. Shrubs shall be planted at the rate of one (1) eighteen inch (18") minimum height evergreen shrub, deciduous shrub or ornamental grass per every two-hundred-fifty square feet (250 ft²) of vehicle surface area.
3. Parking islands shall be planted as to facilitate safe sight distances.
4. Shrubs shall not be planted within six feet (6') of a trunk of a new tree, nor within the drip line of a protected/preserved tree.
5. Planting islands within parking areas shall be a minimum of ten feet (10') in width and two-hundred-fifty square feet (250 ft²) protected by curbs, bollards, wheel stops, walls, etc.

17.06.08 Tree Canopy Preservation and Planting Requirements

- A.** Preserving trees and the overall tree canopy can improve the aesthetic quality of the site and Town as a whole, provide environmental benefits, and mitigate the impacts of development on the community. In addition to compliance with UDO Section 31.13, a Tree Canopy Preservation Plan must be provided demonstrating the following requirements:
 1. Every parcel shall retain existing trees or provide new trees to equal thirty percent (30%) tree canopy coverage.
 2. The plan must show pre and post development canopy calculations and trees by common and botanical name, size, quantity, and health of tree(s) and tree canopy coverage provided by each tree. Canopy coverage is the area beneath the drip line of the existing trees on the lot/parcel. For onsite trees if the canopy extends into a neighboring property, credit for that portion of the canopy may also be taken. Canopy coverage can only be credited from healthy trees or stands of trees.
 3. Credit for newly planted trees shall be calculated as follows:
 - a. Large Deciduous Tree – 620 square feet of canopy coverage
 - b. Small Deciduous Tree – 225 square feet of canopy coverage
 - c. Large Evergreen Tree – 250 square feet of canopy coverage
 - d. Small Evergreen Tree – 100 square feet of canopy coverage
 4. When calculating how much existing tree canopy coverage is already present on the parcel, you may multiply this by 1.25. This additional credit is to encourage the preservation of existing tree canopy.

17.07 Parking Standards

17.07.01 Except as provided herein, development within the WD district shall meet the standards in Article 24 Parking.

17.07.02 **Vehicular Parking:**

- A.** All parking serving the site and counted toward minimum parking requirements shall be located on the site or within 1,200 feet of the building entrance if located off-site.
- B.** Parking between the public street and the building is not permissible.
 - 1.** Exceptions: no more than one bay of parking is to be permitted to avoid large expanses of parking separating the building from the sidewalk.
- C.** Wellness District Education Use Minimum Parking Requirements:
 - 1.** Instructional Labs / Classrooms: 4 spaces/classroom
 - 2.** Lecture Halls: 1 space/3 seats
- D.** Parking Reductions: In order to promote a pedestrian-oriented, human-scale, urban form and multi-modal access, parking reductions are allowed as provided below. The permit issuing authority may adjust the minimum/ maximum number of parking spaces required when one or more of the following is applicable:
 - 1.** The Planning Administrator may approve parking reductions for live-work developments or residential units specifically designated for Wellness District business.
 - 2.** A 10% reduction in the number of required parking spaces for businesses oriented to pedestrian traffic.
 - 3.** A 10% reduction in the number of required parking spaces for developments located adjacent to a public greenway system with pedestrian/ bike linkages and designated bicycle parking areas.
 - 4.** A 20% reduction in the number of required parking spaces is permitted for developments located along a public transit line with designated transit stops located within a walking distance of 1,320 feet and operating service from 6:00 AM to 6:00 PM where service intervals are no longer than 15 minutes during peak commute hours.
 - 5.** To limit the amount of impervious surfaces dedicated to parking on each lot, shared parking is encouraged. A shared parking analysis prepared by a registered licensed professional transportation engineer in North Carolina using the Urban Land Institute (ULI) Shared Parking Model (latest edition) or a study showing excessive, unused parking by one owner to be shared with another owner must be submitted. A written agreement between property owners acknowledging the number of shared parking spaces must be submitted and agreed to by the permit issuing authority.
 - 6.** A parking study, prepared by a licensed professional engineer, illustrating the required parking ratios do not accurately apply to a specific development.

7. If the number of required off-street parking spaces cannot be reasonably provided on the property associated with the principal use, then spaces may be provided on adjacent or nearby lots, satellite parking lots may be located up to a half-mile (0.5 mi) from the principal use building if served by a transit line, shuttle, or located along a dedicated pedestrian sidewalk or greenway trail. Written permission from the owner/person responsible for the satellite parking spaces must be provided. The applicant shall provide written acknowledgement that continuing the validity of his permit depends on his continuing ability to provide the requisite number of parking spaces.

E. Parking Structures: Parking structures are strongly encouraged to consolidate parking, and to encourage walking and better utilization of the land.

1. Parking structures are encouraged to be located at the interior of a block or under buildings, not visible from the public right-of-way. Ground floor commercial uses, or space adaptable for future commercial use, are encouraged to be integrated into the structure located along the public street.
2. Parking structures shall not have exposed structured parking at the ground floor level along street frontages.
3. If parking structures are located along the public right-of-way, building setbacks, scale, height requirements and architectural design standards are applicable with trees and foundation plantings installed to soften the parking structure façade.
4. Parking structures should be designed so ramps are hidden from view of the street or public right-of-way.
5. Structures should be constructed of the same building materials as the district buildings.

F. Drive-Through Facilities:

1. Non-restaurant drive-through are allowed but shall be approved by the Community Appearance Commission.
2. Drive-through and stacking lanes shall not be located along facades facing a public street.
3. Drive-through and pick up windows shall be placed to the side or rear of buildings and screened.
4. Architectural elements, landscaping and/or other screening elements shall be used to minimize the visual impacts of the drive-through facility.
5. Screening shall be a minimum four (4) foot height wall compatible with the building architecture, material, color and details or a continuous compact evergreen hedge (36" minimum height at the time of planting reaching 48" minimum height within three years).
6. The design and location of the facility shall not impede vehicular flow or pedestrian movement and safety.

7. Drive-through and pick-up window canopy materials, design and color shall be the same as the primary building.

G. Loading/ Unloading Areas:

1. Loading and unloading areas are regulated by Section 24.08.
2. Loading and unloading activities are not permitted in the public right- of-way unless specifically designated by the Town.
3. All loading/unloading areas shall be located to the side or rear of buildings and shall be screened from public view.
4. Screening shall be a minimum four (4) foot height wall compatible with the building architecture, material, color and details or a continuous compact evergreen hedge (36" minimum height at the time of planting reaching 48" minimum height within three years).
5. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, stacking spaces or parking areas.

17.08 Streets, Driveways and Sidewalks

17.08.01 Except as provided herein, streets, driveways and sidewalks shall meet the standards set forth in Article 23.

17.08.03 Streets

17.08.04 Driveways

A. Site access drives shall be consolidated and located across from intersections for the safety of motorists and pedestrians.

B. The distance between

C. Developments are required to provide drive aisles to the edge of the property in order to provide for future cross-access between sites.

D. Sites are required to provide cross-access easements between properties for circulation.

E. Driveways along State Farm Road and Deerfield Road are limited to

F. Driveway crossing should maintain the same elevation of the sidewalk. The appearance of the sidewalk (scoring pattern or special paving) should be maintained across the driveway to indicate that though a vehicle may cross, the area traversed by a vehicle remains part of the pedestrian travel way.

17.08.05 Sidewalks

A. Sidewalks meeting the requirements of UDO Section 23.08 are required along the entire length of any abutting street.

B. The fee-in-lieu provisions contained in Section 23.08.05 shall not apply.

17.09 Signs

- 17.09.01** Except as provided herein, signs are regulated in Article 26.
- 17.09.02** All signs must be shown and approved on a master plan, which shall indicate, sign size, location, lighting and copy (if available). All subsequent sign approvals for the development must be in compliance with the master plan.
- 17.09.03** Signs shall be limited to two (2) colors plus the background color. This does not apply to federally registered trademarks.
- 17.09.04** Sign copy on two-faced signs shall be identical on both sides.
- 17.09.05** Changeable copy is not allowed.
- 17.09.06** Sign lighting is limited to .3 foot-candles above ambient lighting.
- 17.09.06** Standards set forth in UDO Section 26.12 Shopping Centers and Malls, Section 26.14 Home Occupation Sign, and Section 26.15 Exceptions and Modifications do not apply within the WD.
- 17.09.07** Building Identification Signs: Buildings are permitted to have building identification wall signs subject to the regulations below.
- A. Each building is allowed one (1) wall sign per each primary and secondary façade.
 - B. Each sign cannot exceed the
 - C. Sign copy is limited to the name of the building and shall not contain the name or logo of any tenant or business.
 - D. Building identification signs are not limited to their location on the building façade.
 - E. Lighting for a building identification sign is limited to back-lighting or down-lighting.
- 17.09.08** Attached Sign(s): Each ground floor tenant/business is allowed one attached sign for each primary and secondary façade which contains a pedestrian entrance subject to the regulations below:
- A. Attached signs as permitted herein are not permitted above the ground floor/street level of each building.
 - B. An attached sign must be located on the portion of the building which is occupied by the tenant/business the sign is for.
 - C. Attached signs which encroach into the public right-of-way are required to obtain an encroachment agreement.
 - D. The bottom of an attached sign shall be located at a minimum height of nine feet (9') from the adjacent finished grade.
 - E. Wall
 - 1. A wall sign shall not project more than twelve inches (12") from the building façade.
 - 2. The size of a wall sign is limited to the tenants'/business' linear building frontage along the primary or secondary façade (as applicable).

- a. The wall sign is limited to one square foot of sign area per linear foot of building frontage.
- b. The maximum permitted square-footage of a wall sign is eighty (80) square feet regardless of linear building frontage.
- 3. Lighting for a wall sign is limited to internal illumination or down-lighting.

F. Canopy/Awning

- 1. Canopy and awning sign copy shall not exceed twenty-five percent (25%) of the canopy or awning with a maximum of forty-eight (48) square feet of copy area regardless of the size of the awning.
- 2. Sign copy on a canopy shall be located on the valance.
- 3. Canopy and awning lighting is limited to down-lighting.

G. Projecting

- 1. A projecting sign shall be mounted and perpendicular to the building façade.
- 2. A projecting sign shall not exceed twenty-four square feet (24 ft²) in area.
- 3. Lighting for a projecting sign is limited to internal illumination or down-lighting.

17.09.09 Monument Sign

- A. The only freestanding sign other than directional signs allowed within the WD is a monument sign, which can be a two-faced sign that has a base at least seventy-five percent (75%) of the horizontal width of the sign and the base of the sign must be located directly on the ground.
- B. The size of the monument sign shall be twenty-five square feet (25 ft²) for the first fifty feet (50 ft.) of street frontage plus .75 square feet for each additional foot of street frontage to a maximum sign face area of 70 square feet.
- C. Monument sign heights are limited to five feet (5') as measured from finished grade to the top of the sign structure.
- D. Copy of the monument sign is limited to the building name/address and/or commercial tenants within the building.
- E. Monument sign lighting is limited to internal illumination or down-lighting.

17.09.10 Directory Sign(s)

- A. Each building entrance which allows access to a building, not a specific tenant/business, is allowed to display a directory sign.
- B. The directory sign must be building mounted adjacent to the building entrance.
- C. A directory sign is limited to no more than twenty square feet (20 ft²).
- D. Directory sign lighting is limited to down-lighting.

17.09.11 Directional Signs: Directional signs to direct traffic flow and to locate entrances and exits shall be permitted subject to the following:

- A. Directional signs must be shown and approved on all site plans, which shall indicate, sign size, location and copy.
- B. Directional signs shall not exceed four square feet (4 ft²) in area and three feet (3') in height above grade.
- C. Logos, names and advertising are not permitted on directional signs.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 Comprehensive Plan Update](#)

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15): The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

Comprehensive Plan Policies: Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Commission and Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
- B. New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
 - D.1 Evaluate development regulations for amendments providing flexibility in the renovation and redevelopment of existing structures and sites.
- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
 - E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.
- G. The Town shall support the development of new business parks.
 - G.1 Identify suitable property for possible business park development.
- K. Boone shall identify and provide services consistent with the needs of the area's growing retiree population.

2.1.2 Commercial Development

- B. Commercial and Office Development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.

B.1 Review the Town's zoning text and map with the objective of reducing the negative impacts of typical commercial strip development.

- C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.
- D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.
- E. Residentially scaled and designed neighborhood businesses may be a planned element of newly developed or redeveloped neighborhoods. They should be near other compatible facilities such as elementary schools and neighborhood parks.
- 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.
- G. Effective buffering and/or landscaping shall be provided where a large scale or automobile-orientated commercial or office use adjoins an existing or planned residential use.
- H. Encroachment of incompatibly scaled and designed commercial or office uses into viable existing or planned residential areas shall be prohibited.
- H.1 Amend the zoning map to provide appropriate commercial zoning in transitional areas that do not encroach upon established residential neighborhoods.
- I. Office and institutional development may be encouraged as a transitional land use between residential areas and higher intensity commercial activities.
- 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.
- J.1 Beyond the major corridor area consider the development of architectural design standards for commercial development throughout the Town's planning area. *****
- J.2 Consider supplementing the highway corridor overlay district in the zoning ordinance to encourage commercial development to include: 1) attractive signage, and 2) build-to lines with parking in the rear.

2.2 INFRASTRUCTURE

2.2.1 Transportation

- G. The operational success of the area's mass transit system shall be enhanced through the encouragement of compact, transit sensitive development patterns. Site planning that incorporates transit stops and convenience clusters shall be required, where appropriate.
- G.1 Evaluate and amend site plan standards to include provisions for transit stops, sidewalks and pedestrian ways, bikeways and secure bicycle storage.
- G.2 Construct transit stops with covered passenger shelters to encourage ridership.
- G.3 Construct, where possible, bus stop pull-out areas or lanes to avoid holding up traffic along traffic corridors.

H. Policies that have the effect of reducing automobile dependency, use and congestion in the heart of the urban area shall be supported.

H.1 Prepare educational information concerning the location and use of bikeways, greenways, the bus system, and other forms of transportation as alternatives to the automobile.

H.2 Work to promote increased coordination of University access concerns within the Alternative Transportation Plan.

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.

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

2.3 THE COMMUNITY

A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.1 Community Appearance

A. Measures to improve the effectiveness of grading, landscaping and buffering standards for new and existing developments shall be encouraged. *****

B. The significance of street trees in providing visual relief, summer cooling, improved air quality and livability shall be recognized through public policies and actions to encourage their planting and maintenance. *****

C. The significance of major roadway entrances into Boone as measures of community image and quality shall be recognized through building placement, landscape, signage and other visual improvements. The Town, along with private property owners and developers, shall work to jointly improve the appearance and design of major street corridors.

D. Sign policies and standards shall be periodically updated to enhance community identity and create a high quality business image.

2.3.2 Community Character

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.

2.3.3 Housing and Neighborhoods

E. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.

G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas.

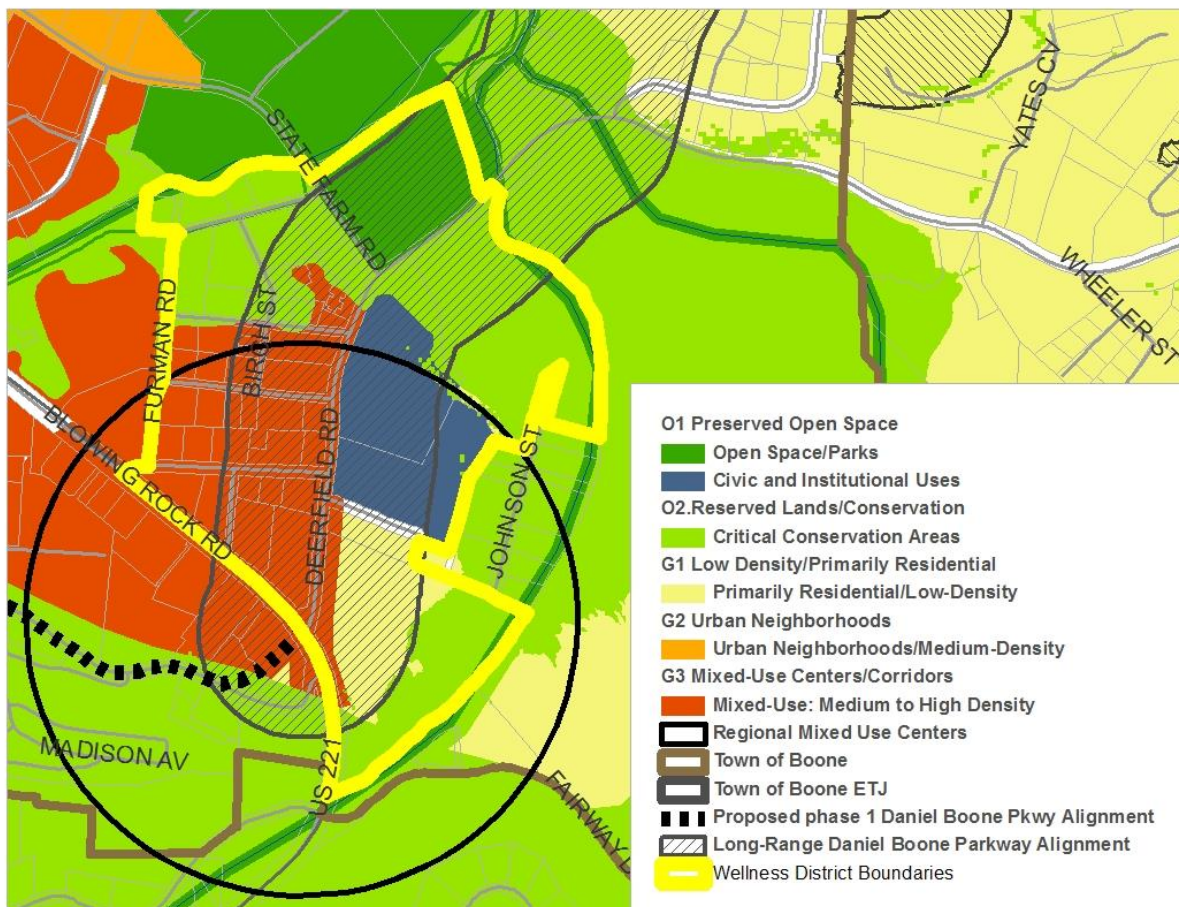
- H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

BOONE 2030 LAND USE PLAN

[Click here to view the Boone 2030 Land Use Plan](#)

Framework Plan: The Framework Plan located in Article 4 of the Boone 2030 Land Use Plan is a land use policy map intended to provide guidance to Boone's leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community. As such, it provides the framework for and is the cornerstone of the Land Use Plan. The Framework Plan methodology divides land within the study area into six separate classifications or "sectors" (labeled as O-1 through G-4). These range from the most natural (Preserved Lands) to the most urbanized areas (Downtown/Mixed-Use), with each sector reflecting the appropriate balance between environmental conservation and development intensity for the area.

The area within the Wellness District Small Area Plan is located within multiple sectors within the Framework including the O1, O2, G1, and the G3. A majority of the district is located within a Regional Mixed Use Center and the long range Daniel Boone Parkway alignment.



O-1 Sector: The O-1 sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks. For Boone, this sector specifically consists of: existing parks & greenways, wetlands and streams, 25 ft stream buffer – standard, 30 ft stream buffer - watershed area, 35 ft stream buffer - steep slopes, federal or state lands, conservation easements and cemeteries. Appropriate land uses/development types include: conservation areas, parks & greenways, limited agricultural/forestry uses, water access areas, and limited civic uses such as schools.

Civic & Institutional Uses: In addition to the geographic sectors, the Framework Plan indicates two related special land uses: the existing schools and other civic sites such as the hospital, the community college, and the library. These civic and institutional uses properties are related to the community’s permanent green infrastructure since large pieces of land on many these properties will continue be undeveloped open space.

O-2 Sector: O-2 sector lands represent areas that are prime candidates for moving into the O-1 sector through conservation easements or other open space acquisition/protection measures such as Transfer of Development Rights. This sector, shown in medium green on the Framework Map, consists of lands that should be off-limits to development except occasional residential/rural buildings at very low densities. These areas may be legally developable based on current federal, state, and local regulations. However, they are areas that based on environmental and urban service factors (difficulty of providing of sewer/water service and roadways, for example) should be lightly developed or undeveloped, remaining in a rural or natural state. In large part, these areas correspond with locations identified for watershed protection in the Town’s current regulations. This zone also corresponds with areas in the Secondary Water Pressure Zone, defined as elevations above 3400 feet, which are difficult to efficiently serve with adequate public water pressure. For Boone, this sector also consists of: 100 year floodplain, slopes of 30-70%, 100 ft. riparian stream buffer, zone of potential rock instability, and high landslide hazard zones. Appropriate land uses/development types include: conservation areas, parks & greenways, agricultural and forestry uses, limited civic uses such as schools, very low-density residential development and clustered development (approximate net density: 1 dwelling unit per 10 gross acres).

G-1 Sector: The G-1 sector, indicated by the light yellow on the Framework Map, is intended for relatively low density residential development. This sector includes existing low-density residential neighborhoods that are not appropriate for redevelopment. It also includes lands that are not proximate to thoroughfares and are not projected to be high growth areas due to limited access to transportation networks and utilities. Appropriate development typically consists of cluster developments such as conservation subdivisions, or low-density residential development on relatively large lots. For Boone, this sector is generally located away from planned neighborhood or regional centers and close to heavily encumbered O-1 or O-2 land. The community types and land uses appropriate for this sector are: low density cluster developments or hamlets (a clustering of buildings around a rural crossroad), low-density residential development comprised predominately single-family detached structures and small scale multiple family units (e.g. duplexes, triplexes) - (up to 5 units per acre - except where limited by watershed rules to 1

single family unit per two acres (WS-II) or 2 single family units per acre (WS-IV)), limited convenience retail uses, civic uses and (parks, schools, religious and government uses).

G-3 Sector: The G-3 Sector, indicated in dark orange/red, is intended to apply along high-capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G-3 land generally falls within areas for higher-intensity regional-serving development. Care should be taken to limit the length of G-3 corridor developments to avoid the creation of lengthy, undifferentiated linear strip development. Attention to local geography and environmental conditions can assist in this definition, with special attention given to areas in O-1 and O-2 sectors along water courses. The full-range of community types and uses are appropriate in the G-3 sector, including: single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses, traditional neighborhood developments, neighborhood centers, regional centers, and industrial districts.

Regional Centers: Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger black circles on the map. Regional centers are envisioned for downtown Boone and the historic university core; around the hospital and the current high school site; and at the intersection of US 321 and NC 105; and around the intersection of US321 and Shadowline Drive. These centers will provide the highest concentrations of residential and employment in the Plan area.

Focus Area: The proposed Wellness District area was selected as a focus area within the Boone 2030 Land Use Plan in Chapter 8 of the Boone 2030 Land Use Plan. The plans shown in this section are intended to be conceptual build-out visions for significant and prototypical areas of Boone. The purpose of these conceptual plans is not to require strict conformance to each building or parcel as drawn, but to show general patterns and intensities and potential development/redevelopment opportunities that are consistent with the community's goals. These conceptual plans are also meant to illustrate the desired development principles that have been articulated by residents and stakeholders. Care was taken in the design process to envision development alternatives based on property boundaries or known opportunities for parcel consolidation as well as the market feasibility for the scale, amount, and type of development.

HOSPITAL DISTRICT INFILL & REDEVELOPMENT



EXISTING CONDITIONS ▲

EXISTING CONDITIONS

The hospital district is located along US 321 in the southeastern part of the town. The area is dominated by big box development to the west and the existing hospital facility to the east. The core area is laden with individual medical offices with their own surface parking facilities.

RECOMMENDATIONS

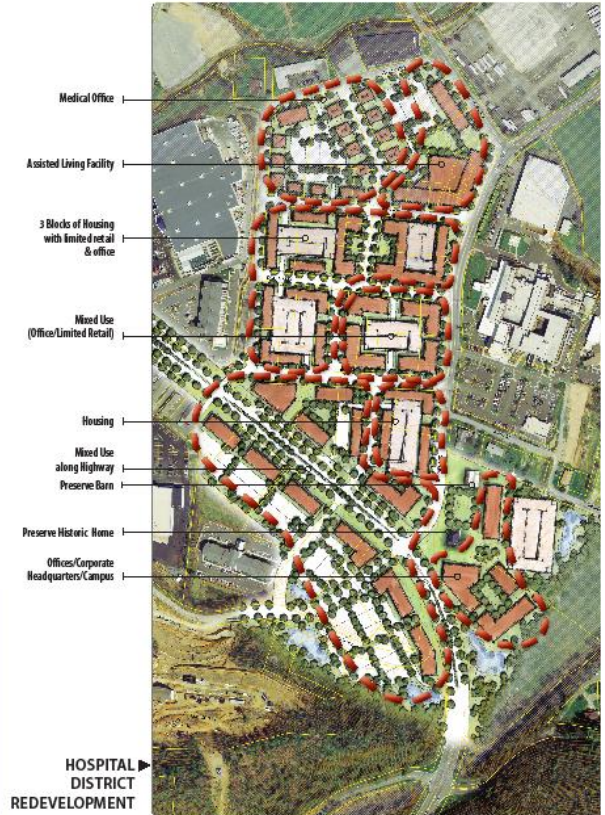
Create a cohesive mixed use district with an emphasis on medical facilities and related uses. The goal for this area is to create a balance of uses that create an environment that is both functional and inviting to residents, visitors, patients, staff, as well as offices, services, and facilities that would benefit from proximity to the hospital.

The northern portion of the district introduces an assisted living facility and consolidates the medical offices into a configuration more conducive to shared facilities and parking. The proposed assisted living facility would house apartments, bungalows, and care suites.

Three of the core blocks are dedicated to housing with one having mixed uses of office and limited retail. A fourth block to the south is conceived as a mixture of office and retail while along US 321, mixed use with parking behind is the predominant pattern. The southeastern quadrant of the district could house offices or even a corporate headquarters such as a medical research company. This quadrant also has a historic home and barn that are proposed for protection through this redevelopment process.

HOSPITAL DISTRICT REDEVELOPMENT POTENTIAL

Office: 403,000 sf
 Mixed Use: 383,000 sf (office, residential—some retail)
 Residential: 428 Units
 Assisted Living Facility: 149,000 sf (apartments/bungalows/care suites)
 Total Development as Drawn: 1,363,000 sf



PLANNING BOARD REPORT/RECOMMENDATIONS

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning ordinance and believe ☐approval OR ☐denial is reasonable and in the public interest because:

Zoning/Planning Permit Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607
Phone (828) 268-6960 ♦ Fax (828) 268-6961
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
☐ Commercial
☐ Board of Adjustment Hearing (other than Appeals)
☒ Planning/Other

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: PO Drawer 192, Boone, NC 28607
Phone Number: _____ Email Address: _____
Property Owner: State of North Carolina Company: _____
Address: c/o State Property Office, 1321 Mail Service Center, Raleigh, NC 27669-1321
Phone Number: 828-262-2040 Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): 2910-72-6682-000
Address/Location: Corner of Deerfield Road and State Farm Road
Project Name: State of North Carolina – GU Zoning Map Amendment

C. PERMIT SUBCATEGORIES

Additional Forms Needed

Zoning Permits

- | | |
|---|---|
| ☐ Accessory Building | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Addition/Expansion including decks and patios | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Change of Occupancy | *Commercial Project Data Form |
| ☐ Land Disturbance (not associated with the construction of a bldg.) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Manufactured Home Set-up in Park | *Manufactured Home in Park Form |
| ☐ New Building Construction | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Renovation/Remodel | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Accessory Use (as listed in UDO Subsection 15.07.01) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Temporary Use (as listed in UDO Subsection 15.07.02) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Sign | *Sign Project Data Form (Zoning) |
| ☐ Pavement Sealant | *Pavement Sealant Project Data Form |
| ☐ Major Subdivision Zoning Permit | *Commercial Project Data Form |

Board of Adjustment Hearings

- | | |
|--|---|
| ☐ Special Use Permit/Modification | *Special Use Permit Form |
| ☐ Variance | *Variance Form |
| ☐ Major Subdivision Preliminary Plat Approval | *Major Subdivision Preliminary Plat Approval Form |

Planning/Other

- | | |
|---|--|
| ☐ Exempt Division of Land | *Subdivision Exemption Project Data Form |
| ☐ Minor Subdivision (Preliminary and Final Plat) | *Minor Subdivision Project Data Form |
| ☐ Major Subdivision (Final Plat) | *Major Subdivision Final Plat Project Data Form |
| ☐ UDO Text Amendment | *Text Amendment Project Data Form |
| ☒ General Use Zoning Map Amendment | *General Use Map Zoning Map Amendment Project Data Form |
| ☐ Conditional District Zoning Map Amendment | *Conditional District Zoning Map Amendment Project Data Form |
| ☐ Voluntary Annexation | *Annexation Petition (Satellite or Contiguous) |
| ☐ UDO Text Interpretation | *UDO Interpretation Data Form |

D. DETAILED DESCRIPTION OF PROJECT

See Project Data Form

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: NA Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

F. DESIGN PROFESSIONAL INFORMATION**Engineer: NA**

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

Architect: NA

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

G. APPLICANT SIGNATURE: By signing this form you are certifying that this application and any attached information is accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

WD Small Area Plan &
 Direction to Prepare
 Text by TC in 11/2015

Bill Bailey, Planning Director**Applicant¹ (Print)****Applicant Signature****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

State of North Carolina – GU Zoning Map Amendment

Permit Number:

20160299

Project Name/Number:

NA

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
May 2016	NA	NA	NA	NA

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¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

General Use Zoning Map Amendment Project Data Form

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607
Phone (828) 268-6960 ♦ Fax (828) 268-6961
www.townofboone.net

Official Use Only

Project Name/Number:
20160299

Permit Name/Number:
State of North Carolina – GU Zoning Map Amendment

It is recommended that applicants schedule a meeting with Planning & Inspections Staff prior to application submittal.

A. ADDITIONAL APPLICATION INFORMATION

Hearing Date Requested¹: June 6, 2016

B. DEVELOPMENT INFORMATION

Existing Zoning District(s): O/I Proposed Zoning District(s): WD

Existing Land Use(s): Vacant

Adjacent Land Use(s): N: Town's Greenway/Park E: Golf Course, Single-Family Residential

W: Gas Station, Medical Office, Office S: Hospital, Medical Office

Are there are any existing variances granted to the property? ☐ Yes ☒ No ☐ Unknown

If yes, describe: _____

Total Land Area: _____

C. DOCUMENTS REQUIRED FOR SUBMITTAL

- ☐ Application Fee
- ☒ Deed(s) of all property included in the request
- ☐ A written metes & bounds legal description with accompanying survey map is required for a request that would rezone only a portion of a tax parcel or requests for multiple zoning districts

D. PROPERTY OWNER SIGNATURE:

By signing this form you are certifying that this application and any attached information are accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

NA

Property Owner (Print)

Property Owner Signature

Date

¹ Each applicant must provide the meeting date for which they wish their request to appear. Each completed application must have met published meeting deadlines.

Public Hearing Meeting Date: June 6, 2016

PC Meeting Date: June 13, 2016

TC Meeting Date: June 16, 2016

Date of APO Mailed Notification: May 24, 2016

Date of Posted Notification: May 24, 2016

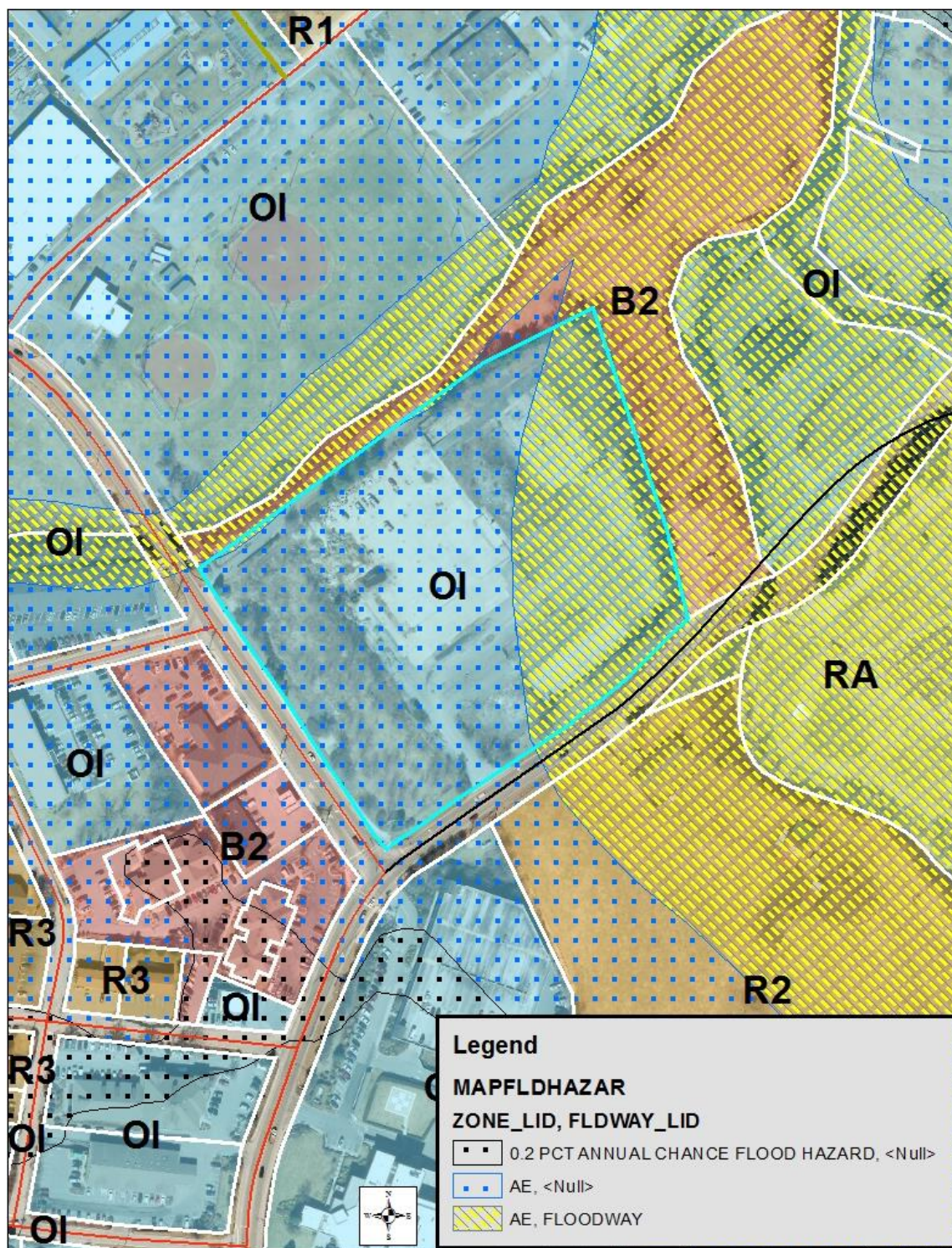
Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____
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STAFF REPORT
SPECIAL PUBLIC HEARING
JUNE 6, 2016
CASE 20160299 STATE OF NORTH CAROLINA GENERAL USE ZONING MAP AMENDMENT



Request

The Town of Boone has initiated a General Use Zoning Map Amendment to rezone property owned by the State of North Carolina located at the corner of Deerfield Road and State Farm Road (Watauga County PIN: 2910-72-6682-000) from OI Office Institutional to WD Wellness District*.

**Request predicated on the adoption of the proposed Wellness District Standards. All references to the WD are "as proposed".*

Parcel Information

Addresses:	783 West King Street
Watauga County PINs:	2910-72-6682-000
Property Owner:	State of North Carolina
Total Lot size:	8.98 acres
Jurisdiction:	Corporate limits
Access:	State Farm Road (town) and Deerfield Road (NCDOT)
Topography:	Little to no slope.
SFHA:	Yes.
Watershed District:	No
Corridor District:	No
NCD:	No
Viewshed:	No
Transit Route:	Yes. (Red Route along Deerfield Road)
Utilities:	Town water and sewer are available.
Current Zoning:	OI, Special Flood Hazard Area
Proposed Zoning:	WD Wellness District
2030 Plan Designations:	O1 Preserved Open Space
Current Uses:	Vacant

Zoning District Descriptions:

- OI:** The OI Office/Institutional District is established to provide a zoning district which promotes the development of moderately intensive office and institutional uses which are oriented toward the provision of services versus the sale of products. Appropriate small scale residential uses are allowed in this district to the point they support allowable office and institutional uses. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- WD:** The Wellness District (WD) is established to provide an area-specific zoning district located around the local hospital to promote a diverse mixture of medical, education, office, retail and residential uses within a compact, vibrant pedestrian oriented center while encouraging community interaction and transportation options.

Zoning & Use of Adjacent Properties		
Zoning		Land Use
North East	B2 Neighborhood Business	Town Park/Greenway
South East	RA Residential Agriculture; R2 Two Family Residential; OI Office Institutional	Across Deerfield Road: Golf Course; Single Family Dwelling; Hospital
South West	B2 Neighborhood Business; OI Office Institutional	Medical Offices, Gas Station, Offices
North West	B2 Neighborhood Business	Town Park/Greenway

Permissible Uses

UDO Article 15, Section 15.07 contains the Table of Principal Uses for the OI Office Institutional Uses, which should be read in conjunction with the definition of terms set forth in UDO Article 34. The Proposed UDO Subsection 17.02.03 contains the uses proposed to be allowed “by right” within the Wellness District. For ease of comparison Staff has placed both districts in a chart.

Uses within the Wellness District which have different supplemental regulations or other use qualifiers will be shown in “red”.

15.07 Table of Principal Uses

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
1.0 Household Living				
1.01	Single-Family Dwelling			
1.02	Manufactured Home “Class A”			15.08
1.03	Manufactured Home “Class B”			15.08
1.04	Manufactured Home “Class C”			
1.05	Manufactured Home Park			15.09
1.06	Duplex (one duplex building per lot)			
1.07	Duplex (more than one duplex building per lot)			15.10
1.08	Townhouse (up to 30 bedrooms)			15.10
1.09	Townhouse (31-100 bedrooms)			15.10
1.10	Townhouse (> 100 bedrooms)			15.10
1.11	Multi-Family Dwelling (up to 30 bedrooms)			15.10
1.12	Multi-Family Dwelling (31-100 bedrooms)			15.10
1.13	Multi-Family Dwelling (> 100 bedrooms)			15.10
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)		L	15.11 17.02.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)		L	15.11 17.02.04
1.16	Multi-Family Dwelling in Mixed Use (> 100 bedrooms)		L	15.11 17.02.04
2.0 Group Living				
2.01	Family Care Home			15.13
2.02	Family Care Institutions	L ^{T125}		15.14
2.03	Halfway House, Category 1	L		15.14
2.04	Halfway House, Category 2	L ^{T125}		15.14
2.05	Nursing Care Home	L	L	15.14
2.06	Nursing Care Institution	L ^{T125}	L	15.14
2.07	Skilled Nursing Facility	L ^{T300}	L	15.14

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
2.08	Retirement Community, Category 1	L		15.15
2.09	Retirement Community, Category 2	L ^{T125}	L	15.15
2.10	Residence Hall, Category 1	L		15.15
2.11	Residence Hall, Category 2	L ^{T200}		15.15
2.12	Residence Hall, Category 3	L ^{T300}		15.15
2.13	Fraternity or Sorority Dwelling			15.16
2.14	Boarding House			15.17
3.0 Transient Living				
3.01	Home for Survivors of Domestic Violence	L		15.18
3.02	Shelter for Homeless, Category 1	L ^{T50}		15.19
3.03	Shelter for Homeless, Category 2	L ^{T300}		15.19
3.04	Bed and Breakfast, Category 1			15.20
3.05	Bed and Breakfast, Category 2			15.20
3.06	Vacation Rental			15.21
3.07	Motel			
3.08	Hotel		P	
4.0 Institutional Uses				
4.01	Airport/Landing Strip			15.22
4.02	Heliport			15.22
4.03	Funeral Home Establishment	P		
4.04	Cemetery	P		
4.05	Post Office	P	P	
4.06	Post Office, Distribution			
4.07	Animal Sanctuary			
5.0 Government Uses				
5.01	Government Cultural Facility	P		
5.02	Government Neighborhood Cultural Facility, Indoor Activity Only	P		
5.03	Government Neighborhood Cultural Facility, Includes Outdoor Activity	P		
5.04	Recreation Facility, Category 1	P		
5.05	Recreation Facility, Category 2	P		
5.06	Recreation Facility, Category 3	P ^{T50}		
5.07	Event Venue, Category 1	P		
5.08	Event Venue, Category 2	P		
5.09	Event Venue, Category 3	P ^{T50}		
5.10	Landfill			
5.11	Solid Waste Processing			
5.12	Police Substation	P	P	
5.13	Utility Facility, Town	L		15.23
5.14	Utility Facility, Government, Neighborhood	L		15.23
5.15	Utility Facility, Government, Regional	L ^{T300}		15.23
5.16	Government Facility	P		
6.0 Non-Government Utility Facility				
6.01	Utility Facility, Neighborhood	L		15.23
6.02	Utility Facility, Regional	L ^{T300}		15.23
7.0 Telecommunications				
7.01	Antenna Collocation on Existing Wireless Support Structure not requiring additional accessory equipment	P		

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
7.02	Antenna Collocation on Existing Wireless Support Structure requiring additional accessory equipment	L		15.24
7.03	Building Mounted Antenna not requiring additional accessory equipment	L		15.24
7.04	Building Mounted Antenna requiring additional accessory equipment	L		15.24
7.05	Antenna Collocation on Electrical Transmission Towers			15.24
7.06	Other Antenna	L		15.24
7.07	Wireless Support Structure which meets district height requirements	L		15.24
7.08	Stealth Wireless Facility which exceeds district height requirements	L		15.24
7.09	Wireless Support Structure which does not meet district height requirements up to and including 120'	S		15.24
7.10	Other Tower that exceeds 120' in height			15.24
7.11	Emergency Response Communication Antenna	P	P	
8.0 Assembly				
8.01	Religious Assembly, Category 1	P	P	
8.02	Religious Assembly, Category 2	pT75		
8.03	Religious Assembly, Category 3			
8.04	Club/Lodge, Category 1			
8.05	Club/Lodge Which Does Not Serve Alcohol			
9.0 Education				
9.01	Appalachian State University		P (no residential uses allowed)	
9.02	Caldwell Community College and Technical Institute	pT75	P (no residential uses allowed)	
9.03	Other Public Colleges and Universities	pT75	P (no residential uses allowed)	
9.04	Private Colleges and Universities	pT300	P (no residential uses allowed)	
9.05	Trade School	pT200		
9.06	High School	pT300		
9.07	Elementary School	pT125		
9.08	Boarding School	pT300		
9.09	All other Educational Facilities	CD		
10.0 Daycare				
10.01	Child Daycare, Large		P	15.25
10.02	Child Daycare Center	L	P	15.25
10.03	Adult Daycare, Large		P	15.25
10.04	Adult Daycare Center	L		15.25
10.05	All Other Daycare	CD		

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
11.0 General Sales and Service				
11.01	Kennel			15.26
11.02	Veterinary Office/Hospital with Outdoor Kennels	L ^{T125}		15.26
11.03	Veterinary Office/Hospital without Outdoor Kennels	P		
11.04	Financial Institution ≤ 5,000 ft ²	P	P	
11.05	Financial Institution > 5,000 ft ²	P	P	
11.06	Restaurant ≤ 2,500 ft ² open to the public during 10 pm – 6 am	p ^{T75}	P	
11.07	Other Restaurants ≤ 2,500 ft ²	P	P	
11.08	Restaurant > 2,500 ft ² open to the public during 10 pm – 6 am	p ^{T200}	P	
11.09	Other Restaurants > 2,500 ft ²	p ^{T125}	P	
11.10	Bar			
11.11	ABC Store			
11.12	Personal Service Establishment open to the public during 10 pm – 6 am	p ^{T75}		
11.13	Other Personal Service Establishments	P	P	
11.14	Retail Store up to 5,000 ft ²	P	P	
11.15	Retail Store more than 5,000 but less than 25,000 ft ²		P	
11.16	Retail Store 25,000 ft ² and greater		P	15.27
11.17	Shopping Center/Mall	S ^{T300}		15.28
11.18	Business or Professional Office open to the public during 10 pm–6 am	p ^{T75}	P	
11.19	Other Business or Professional Office	P	P	
11.20	Medical Office, Category 1	p ^{T300}	P	
11.21	Medical Office, Category 2	p ^{T125}	P	
11.22	Medical Office, Category 3	p ^{T125}	P	
11.23	Medical Office, Category 4	P	P	
11.24	Hospital	p ^{T300}	P	
11.25	Medical Emergency Response	p ^{T300}	P	
11.26	Open Air Market, Recurring	L ^{T50}		15.29
11.27	Vehicle Sales and Service			15.30
11.28	Equipment Sales and Service			15.31
11.29	Moped Sales and Service			
11.30	Boat or Marine Craft Sales and Service			15.32
11.31	Impound Lot/Towing Service			15.33
11.32	Gas Station			
11.33	Car Wash			
11.34	Seasonal Retail Activities and Amusements	P		
11.35	Therapy Farm		P	
12.0 Recreation				
12.01	Indoor Shooting Range			15.34
12.02	Outdoor Shooting Range			
12.03	Indoor Theater			
12.04	Outdoor Theater			
12.05	Event Venue, Category 1			
12.06	Event Venue, Category 2			
12.07	Event Venue, Category 3			
12.08	Campground and Recreational Vehicle Park			15.35
12.09	Coliseum			
12.10	Recreation Facility, Category 1	P	P	
12.11	Recreation Facility, Category 2	p ^{T50}		

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
12.12	Recreation Facility, Category 3			
13.0 Agriculture				
13.01	Garden, Community	L		15.36
13.02	Garden, Residential	L		15.37
13.03	Agricultural Operation Excluding Livestock			
13.04	Agricultural Operation Including Livestock			
13.05	Swine Farm			
13.06	Confined Animal Feeding Operation (CAFO)			
13.07	Custom Slaughterhouse			
13.08	Other Slaughterhouse			
13.09	Forestry	L		15.38
14.0 Manufacturing				
14.01	Microbrewery			15.39
14.02	Brewpub			15.39
14.03	Brewery/Distillery			15.40
14.04	Brewery/Distillery, Other			15.41
14.05	Winery Associated with a Vineyard			15.42
14.06	Winery			15.42
14.07	Winery, Other			
14.08	Extraction of Earth Materials			
14.09	Machine/Welding Shop			15.44
14.10	Manufacturing, Other			15.45
15.0 Parking				
15.01	Parking Lot	L		15.46
15.02	Parking Structure	L	P	15.47
15.03	Park and Ride Lots	L		15.46
16.0 Storage				
16.01	Mini-Storage			15.48
16.02	Outdoor Storage			15.49
16.03	Warehouse			
16.04	Fuel Storage Facility			
16.05	Chemical Storage Facility			
17.0 Transportation				
17.01	Passenger Terminals			
17.02	Trucking or freight terminal $\leq 10,000 \text{ ft}^2$			
17.03	Trucking or freight terminal $> 10,000 \text{ ft}^2$			
18.0 Waste Related Uses				
18.01	Recycling Drop-off Station			15.49
18.02	Recycling and Salvage			15.49
18.03	Junkyard			
18.04	Private Landfill			
19.0 Particular Activities which pose Particular Concerns about Public Health				
19.01	Electronic and Internet Gaming			15.50
19.02	Adult Establishments			15.51

15.07.01 Table of Accessory Uses

Use #	Accessory Uses	Zoning Districts		Reference
		OI	WD	
A-1	Secondary Suite	L		15.52
A-2	Home Occupation	L	L	15.53
A-3	Accessory Dwelling Unit	L		15.54
A-4	Drive-Through	L	L Limited Non- Restaurant Drive Through	15.55
A-5	Outdoor Display	L		15.56
A-6	Outdoor Storage			15.57
A-7	Outdoor Dining	L	L	15.58
A-8	Automated Teller Machine (ATM)	P	P	
A-9	Automated Teller Machine (ATM), Freestanding	L	L	15.59
A-10	Produce Stand			15.60
A-11	Poultry	L		15.61
A-12	Livestock, Small	L		15.62
A-13	Livestock, Large			15.63
A-14	Bees	L		15.64
A-15	Garden, Residential	L		15.65
A-16	Satellite receiving antennas less than 1 meter in diameter	P		
A-17	Satellite receiving antennas less than 2 meters in diameter	P		
A-18	Satellite receiving antennas 2 meters and greater in diameter	S		
A-19	Helistop	S ^{T300}	L	
A-20	Swimming pools, spas, and hot tubs	L	L	15.66
A-21	Caretaker's residence	L		15.67
A-22	Vehicular Gate	L		15.68
A-23	Vehicle Washing Station	P		
A-24	Chemical Storage Facility			
A-25	Open Air Market, Accessory	L		15.29
A-26	Daycare, Small	P		

15.07.03 Table of Temporary Uses

Use #	Temporary Uses	Zoning Districts		Reference
		OI	WD	
T-1	Temporary Care Provider Dwelling	L		15.69
T-2	Temporary Construction or Repair Dwelling	L		15.69
T-3	Temporary Construction Trailer	L	L	15.69
T-4	Temporary Mobile Medical Unit		L	15.69
T-5	Temporary Classroom	L	L	15.69
T-6	Temporary Portable Storage Containers	L		15.69
T-7	Temporary Staging	L		15.69

Use #	Temporary Uses	Zoning Districts		Reference
		OI	WD	
T-8	Temporary Non-Fixed Site Event Venue	L	L	15.69
T-9	Carrier on Wheels (COW)	L	L	15.69
T-10	Yard Sales	L		15.69
T-11	Itinerant Merchant/Peddler	L	L	15.69
T-12	Open Air Market, Temporary	L		15.29

Intensity/Density Regulations: The WD Wellness District measures density differently (more form-based) than the traditional OI Office Institutional Zoning District. Staff has provided a comparison of the two zoning districts below.

Zoning District	Min. Gross Land Area	Min Lot Width	Min. Street Frontage	Max. Floor Area Ratio (FAR)	Min. Open Space Ratio (OSR)	Min. Livability Space Ratio (LSR)	Min. Recreation Space Ratio (RSR)	Minimum Landscaped Area	Setbacks	
									Street	Interior
OI	10,000 ft ²	100 ft	80 ft	.340	.71	.27	.032	-	20'	17'
WD	10,000 ft ²	-	-	-	-	-	-	.20	*	**

* Build-to-lines are 0-foot minimum/20-foot maximum from edge of the public realm and/or any public space.

**Interior setbacks shall be based on minimum fire separation required between buildings.

Building Height

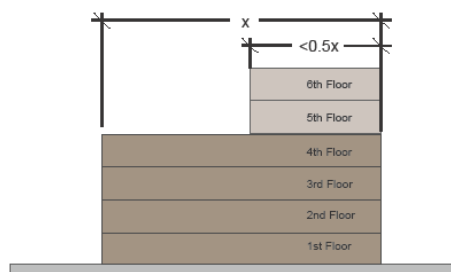
Zone	Height Limitation (Feet)
OI	67
WD	Min. height: 2 stories – Max. height: 6 stories*

*The WD zoning district also regulates “building scale” as follows:

Building Scale: Buildings greater than four (4) stories must adhere to at least one of the following design standards:

- A. Building planes extending above four (4) stories shall be less than 50% of the total building facade along the street,

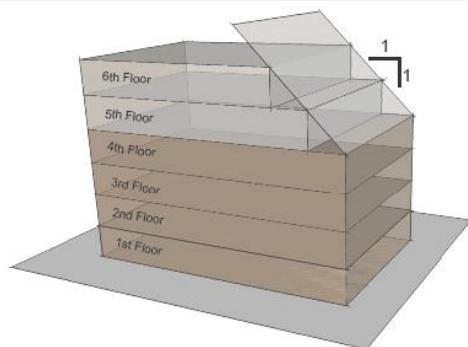
Building Scale Over 4 Stories



and/or

- B. Buildings greater than four (4) stories shall step back the building plane at a 1:1 ratio along the street façade. For every foot above the maximum permitted building height, the building plane may extend upward one foot for every additional foot setback.

Building Setback Over 4 Stories



Landscape Standards:

OI: Must meet the requirements of UDO Article 31 Landscape Standards.

WD: Must meet the requirements of UDO Article 17, Section 17.06 Landscape Standards.

Community Appearance Standards:

OI: Must meet the requirements of UDO Article 25 Community Appearance Standards.

WD: Must meet the requirements of UDO Article 17, Section 17.05 Architectural Standards.

Sign Standards:

OI: Must meet the requirements of UDO Article 26 Signs.

WD: Must meet the requirements of UDO Article 17, Section 17.09 Signs.

Sidewalks:

OI: Must meet the requirements of UDO, Section 23.08 Pedestrian Circulation and Sidewalk Requirements.

WD: Must meet the requirements of UDO, Section 23.08 Pedestrian Circulation and Sidewalk Requirements except the fee-in-lieu provisions in Subsection 23.08.05 shall not apply.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 Comprehensive Plan Update](#)

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area. The Primary Growth Area is that portion of the urban growth area where urban level of facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

Comprehensive Plan Policies: Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Commission and Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most cost effective, long term component of an economic development strategy.
- B. New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.
- C. The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.

2.2 INFRASTRUCTURE

2.2.2 Utilities

- A. Extensions of water and/or sewer services that could result in scattered, non-directed development and costly provision of other urban services shall be prohibited.
- 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.
- C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area.

- E. The Town shall employ incentives to encourage a concentration of intense urban type development within the Urban Growth Area.

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

2.3.1 Community Appearance

- C. The significance of major roadway entrances into Boone as measures of community image and quality shall be recognized through building placement, landscape, signage and other visual improvements. The Town, along with private property owners and developers, shall work to jointly improve the appearance and design of major street corridors.

2.3.2 Community Character

- 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.

BOONE 2030 LAND USE PLAN

[Click here to view the Boone 2030 Land Use Plan](#)

Framework Plan: The Framework Plan located in Article 4 of the Boone 2030 Land Use Plan is a land use policy map intended to provide guidance to Boone's leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community. As such, it provides the framework for and is the cornerstone of the Land Use Plan. The Framework Plan methodology divides land within the study area into six separate classifications or "sectors" (labeled as O-1 through G-4). These range from the most natural (Preserved Lands) to the most urbanized areas (Downtown/Mixed-Use), with each sector reflecting the appropriate balance between environmental conservation and development intensity for the area.

This property is located within the O1 sector and the long range Daniel Boone Parkway alignment.



O-1 Sector: The O-1 sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks. For Boone, this sector specifically consists of: existing parks & greenways, wetlands and streams, 25 ft stream buffer – standard, 30 ft stream buffer - watershed area, 35 ft stream buffer - steep slopes, federal or state lands, conservation easements and cemeteries. Appropriate land uses/development types include: conservation areas, parks & greenways, limited agricultural/forestry uses, water access areas, and limited civic uses such as schools.

[Wellness District Small Area Plan](#)

[Click here to view the Wellness District Small Area Plan](#)

This property is located within the Wellness District Small Area Plan. Per the “Intent” on page 1 “Boone’s Wellness District Small Area Plan (The Plan) is designed to meet the expanding health care needs of Boone and surrounding areas in the years to come. The purpose of The Plan is to support economic development and direct investment efforts of the various existing and future institutional users located within the Plan

Area. The Plan is intended to provide for a mix of uses with a concentration on medically related academic, wellness, multifamily residential, commercial and support uses within a more urban, pedestrian-friendly environment. Urban design (the design of buildings, streets and other public spaces and their interrelationships) are a major factor in determining the district's economic, social and cultural sustainability. The Town's zoning and planning documents, as well as other development standards and input from stakeholders were influential in guiding these decisions and shaping the Plan area's character, quality of life and sustainability."

Certificate of Mailing

Certificate of Mailing:

I, Marlene Crosby, certify that individual notices meeting the requirements of Article 9 of the Town of Boone UDO were placed in the mail (first class) on May 25, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Chris Grubb, certify that the subject property was posted as required in Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO on May 25, 2016.

Chris Grubb, Environmental Planner

PLANNING BOARD REPORT

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

First motion and vote: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

ACTION TAKEN

First motion and vote: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning map and believe ☐approval OR ☐denial is reasonable and in the public interest because:



**Town of Boone
Planning and Inspections
Memorandum**

To: Town Council; Planning Commission

From: Jane Shook, Planning Supervisor

Date: May 25, 2016

RE: Summary and Addition of items for Case 20160136 Rivers Walk Planned Development Zoning Map Amendment

This memo serves as a supplemental report to the existing Staff Report for Case 20160136 Rivers Walk Planned Development Zoning Map Amendment. Below is a brief history of this case which also contains a description of the event and a description of the additional information submitted by the applicant since the April special public hearing. The information from the original board packet sent out for the April public hearing is listed last.

April 4, 2016: Case 20160136 Rivers Walk Planned Development Zoning Map Amendment was heard during a Special Public Hearing.

Related Attachments: Exhibit 1: April 4, 2016 Special Public Hearing Minutes

April 11, 2016: Planning Commission reopened the public hearing to hear additional testimony and to discuss possible conditions with the applicant. After the public hearing was closed the Planning Commission deliberated and ultimately recommended approval of the case with developer approved conditions. Below are the Planning Commission's recommendations:

First motion and vote: Member Long made a motion, seconded by Member Tate that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and other applicable plans of the Town which relate to this application because the said plan development is a higher overall quality development than the previously approved conditional district development because the increase in building height makes it a more viable project and allows elevator service to all residents and has less construction impact on Kraut creek, has better storm water management design and proper rooftop screening for mechanical equipment. The commercial space is more attractive and flexible in size and is in a more concentrated location bordering Water Street. It is more likely to be successful as

commercial space than the previous commercial space plan. The applicant's willingness to construct the Greenway along the property and Kraut Creek will be a benefit to all the residents of Boone and those visiting the Downtown area. The redistribution of commercial parking to the surface lot allows for more convenient parking for the commercial retail space. In regards to architecture, the applicant is willing to work with the Community Appearance Commission which will result in an architectural design that is harmonious with the Downtown area and based on more community consensus.

Vote: ***Aye – 8 (Catoe, Dineen, Myers, Long, Tate, Templeton, Vincent, Woolridge)***
 Nay – 1 (Simmons)
 The motion passed.

Second Motion and Vote: Chairperson Woolridge made a motion, seconded by Member Long that the Planning Commission recommend approval based on the previously approved plan and the proposed plan because it will create a higher quality development and assure a cohesive design in the Downtown area and the surrounding properties with the following conditions:

1. Where there is a conflict between the application information and the plans (site plans bearing a received date of March 25th and architectural plans bearing a received date of March 28, 2016), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. The Town of Boone will be given the necessary easements for public sidewalks which leave existing street right-of-way.
5. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
6. The surface lot in the plan be used for non-employee commercial parking and a minimum of five parking spaces inside the parking deck be dedicated towards commercial parking.
7. The applicant will work with the Community Appearance Commission to develop the final appearance for the building based on the current B-1 zoning standards.
8. The applicant agreed to re-incorporate the clock tower into the building design.
9. The applicant agreed to construct a paved eight-foot wide Greenway to the counties property line.

10. The applicant commitment to construct the greenway and streetscape according to the “Greenway Connection to Howard Street drawing” submitted to the Planning Commission on April 11, 2016.

Vote: *Aye – 8 (Catoe, Dineen, Myers, Long, Tate, Templeton, Vincent, Woolridge)*
 Nay – 1 (Simmons)
 The motion passed.

Related Attachments: *Exhibit 2: April 11, 2016 Planning Commission Minutes*

April 21, 2016: Town Council forwarded Case 20160136 Rivers Walk Planned Development to the May 19, 2016 Town Council meeting in order to reopen the public hearing to hear additional comments.

May 6, 2016: Bill Bailey, Planning Director sent the applicant’s attorney a list of questions raised by Council at the April meeting. (Note: This email is can be found in within Exhibit 3)

May 9, 2016: Applicant submitted to the Planning Department by email a “third-party survey of current occupancy of existing properties in Boone”. At this point the public hearing had been closed, therefore this information was not forwarded to Council.

Related Attachments: *Exhibit 3: Communication – Third Party Survey*

Exhibit 4: Applicant’s third-party survey information

May 19, 2016: The applicant requested that Council reschedule the public hearing to the June 6, 2016 Special Public Hearing to give the applicant more time to address comments made at the April Town Council meeting. This request was approved.

May 23, 2016: Applicant emailed the Planning and Inspections Department revised project information. This information was submitted to the Department two and a half days prior to the publishing of the board packet.

Related Attachments: *Exhibit 5: Revised civil (site) plans. (Hard copy received 5/23/16)*

Exhibit 6: Response letter from applicant.

Exhibit 7: Building Layout and Elevation Information.

Exhibit 8: Building elevation comparison.

Certification of Notification by Mail

Communication: Rivers Walk Supplemental Staff Memo (Rivers Walk New/Revised Supplemental Information)

I, Marlene Crosby, certify that individual notices meeting the requirements of Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO were placed in the mail (first class) on May 24, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Chris Grubb, certify that the subject property was posted as required in Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO on May 24, 2016.

Chris Grubb, Environmental Planner

SPECIAL PUBLIC HEARING MINUTES
MONDAY, APRIL 4, 2016
5:30 P.M.

COUNCIL MEMBERS:	Mayor Rennie Brantz, Mayor Pro-Tem-Lynne Mason, Loretta Clawson, Jeannine Underdown, Jennifer Teague and Charlotte Mizelle
PLANNING COMMISSION MEMBERS:	Chairperson-Eric Woolridge, Vice-Chairperson Greg Simmons, Matthew Long, Jeff Templeton, Connor Boyle, Charlie Myers, Caroline Catoe, Matthew Vincent and Cameron Lippard
STAFF PRESENT:	Jane Shook-Planning Supervisor, and Marlene Crosby-Board Secretary
OTHERS PRESENT:	John Ward-Town Manager and Allison Meade-Town Attorney

CALL TO ORDER

Mayor Rennie Brantz called the hearing to order at 5:33 p.m.

Mayor Brantz asked each of the speakers to hold their public comment to eight to ten minutes for each case.

CASE(S) 20150944 AND 20150945 HAMPTON ESTATES - Scott Porter with Hampton Property LLC has filed Zoning Map Amendment Petitions for a 3.679 acre property located at the end of Stratford Lane (Watauga County PIN: 2920-09-6084-000). The first petition is to rezone a 2.04 acre portion of the property from R-A Residential Agriculture and R-3 Multi-Family Residential to Conditional District R-2 Two-Family Residential for a 7 lot subdivision for single-family and duplex uses; the second request is to rezone the remaining 1.639 acres of the property (located near Bub Teems Road) from R-A Residential Agriculture and R-3 Multi-Family Residential to B3 General Business.

Ms. Jane Shook, Planning Supervisor informed the Council and Planning Commission members that the applicant withdrew these cases on March 31, 2016.

CASE 20160136 RIVERS WALK – Jeff Githens with Peak Campus Development, LLC has filed a Zoning Map Amendment Petition for a planned development consisting of a mixed-use building containing both residential and commercial uses, including a parking deck for properties located at 178 South Water Street, 190 and 208 Poplar Grove Road. The building will contain 119 dwelling units with 380 bedrooms; with the following uses proposed to be allowed for the commercial portion of the building 11.06 Restaurant $\leq 2,500$ ft² open to the public during 10 pm – 6 am, 11.07 Other Restaurants $\leq 2,500$ ft², 11.08 Restaurant $> 2,500$ ft² open to the public during

10 pm – 6 am, 11.09 Other Restaurants > 2,500 ft², 11.12 Personal Service Establishment open to the public during 10 pm – 6 am, 11.13 Other Personal Service Establishments, 11.14 Retail Store up to 5,000 ft², 11.15 Retail Store more than 5,000 but less than 25,000 ft², 11.18 Business or Profession Office open to the public during 10 pm – 6 am, 11.19 Other Business or Professional Office, 11.23 Medical Office, Category 4, 12.10 Recreation Facility, Category 1, and 14.02 Brewpub.

Mayor Brantz informed the Council and Planning Commission members that Planning Commission Member Connor Boyle asked to recuse himself from the Rivers Walk case because he is professionally involved in the proposed project.

Ms. Shook presented this case as outlined in the meeting packet. Since this case represents the first Planned Development case since the process was approved, Ms. Shook began on page two of the staff report and reviewed the section that relates to the Planned Development Procedural Information. Ms. Allison Meade, Town Attorney emphasized and clarified the conditional district and Planned Development processes for this case.

Ms. Shook said from the Staff's perspective the Council and Planning Commission members may want to look at parking and she referred them to page eight of the staff report.

Mr. Jim Deal, Attorney for the applicant came to the podium to present his portion of this case. Mr. Deal noted that the applicant is working from the previously approved conditional district zoning for this case. Mr. Deal talked about the proposed change to the configuration of the commercial spaces and how they want to concentrate the commercial space closer to Water Street rather than have the commercial space along the Poplar Grove Road. Mr. Deal talked about the proposed change to increase the ceiling height to better fit most commercial enterprises.

Mr. Deal talked about the 35-foot elevation change along Poplar Grove Road and how it relates to the interconnected buildings and the parking area.

Mr. Deal talked further about the two primary things that are being proposed for this case which are the location of the commercial space and the increased height of the building to help with the shielding of the HVAC roof units and to allow the elevator to go to the third floor of the building.

Mr. Deal talked about the adjoining unique R-1 neighborhood where no residential use is allowed because it would violate the restrictions of the deed. Mr. Deal noted that the building height was approved at 40 feet in the previous conditional district zoning review.

Mr. Deal pointed out that the property across the Poplar Grove Road from this proposed project has no residential homes on it.

Mr. Deal talked about the different ways to enter the parking lot of the proposed project. Mr. Deal said he thinks the proposed changes are an improvement to the project.

Mr. Deal said that a neighborhood meeting was held for this proposed project prior to the public hearing. Mr. Deal said at this meeting there was discussion on the location of a dumpster and how it could negatively affect the Proper Southern restaurant. Mr. Deal said there was discussion at the meeting on where to move the dumpster to improve the negative impact of the restaurant.

Mr. Deal talked about parking and he said just because a tenant has rented a unit, it does not guarantee them a parking space. Mr. Deal further explained the possibilities of parking near the development and having to pay for a parking spot or parking on the State Farm Road lot and not having to pay for a parking spot. Mr. Deal said that this encourages walkability and talked about the accessibility to the transit system.

Mr. Deal introduced the applicant of the project, Mr. Jeff Githens from Peak Campus Development.

Mr. Githens said that his company joined Mr. Glenn Weaver's company, Harrod/AP, LLC several months ago to work on this proposed project. Mr. Githens said his company saw some changes that they would like to propose by using the new Planning Development process.

Mr. Githens gave a brief history of what his company does as it relates to developing and managing apartment buildings all over the country.

Mr. Githens talked about his company's experience with providing different scenarios of parking in college environments.

Mr. Githens said his company's goal is to improve the proposed project.

Mr. Githens said the proposed changes to the project are in four categories: (1) the relocation of the commercial space, (2) the modification to increase the commercial retail and residential ceiling heights and (3) a modification to allow for a parapet to be able to install condensing units and it allows for better storm water run-off from the roof and (4) to be able to bring the elevators to all levels of the building.

Mr. Githens said the parking was decreased due to the reduction in total height by eliminating any ramps in the parking deck. He said by doing so, they were able to raise the level of the parking deck by six feet which allows the finished floor to almost be at grade level. He said this would reduce excavation work around the creek. He said there will be two entrances into the parking deck.

Mr. Githens talked about the moving of the pool from the back of the building into the courtyard of building three because it is a more private and secure location for a pool. The changing of the location of the pool allows them to put the Greenway in a better location.

Mr. Githens talked about the easement for the Greenway from Water Street to the parking deck of the proposed project. He said he would like to do this as part of their construction.

Mr. Githens talked about the Trout Buffer waiver from the state and that it would need to be modified to include the construction of the Greenway.

Mr. Githens went over each proposed change on the site plans. He talked about the location of the dumpsters and some decisions that still need to be made on their location that is pending from some neighboring properties. He talked about the location of the entrances into the parking deck and the involvement of the County with this decision.

Ms. Meade asked Mr. Githens if he was going to dedicate the easement to the Town.

Ms. Meade asked what is the applicants proposal for the ongoing maintenance of the Greenway.

Council Member Teague asked about a reduction in the driveway. Mr. Githens showed the proposed change on the site map.

Mr. Ward asked about the connection at Water Street to the Greenway connection that the applicant is proposing and is it part of the construction based on the easement. Mr. Githens said he did not show it being constructed by his development company because of the condition of the easement. Mr. Githens noted that his development company will construct everything that is in the color gray area on the map because they know, they can build it in those proposed areas.

Mr. Glenn Weaver said he had talked to the property owners and they wanted the dumpsters to be moved farther away from Water Street. Mr. Weaver talked about the moving of the dumpsters causing a possible easement change.

Mr. Githens talked about the commercial retail space changes on Water Street which is the lowest elevation level. He talked about the change in ceiling heights because of the commercial changes. He talked about the changes to the finished ceiling heights. He noted that the changes are designated with the color purple on the architectural drawings.

Mr. Githens talked about the second level of the units in building one and two as they relate to the lower parking area entrance. He answered questions on the entrance to the parking area.

Mr. Githens talked about the changes to the third and fourth floors along Poplar Grove Road. He said this change is to absorb the building height and not to overpower the Poplar Grove Road corridor.

Ms. Meade said she thought that Mr. Deal noted that there would be a change in the increase of commercial space. However, in the applicant's letter in the meeting packet, it was noted that there would be a decrease in commercial space. Mr. Deal confirmed that it is an increase over what was approved in the conditional district zoning. Mr. Githens elaborated on Mr. Deal's comments and referred to the Unified Development Ordinance regarding the required percentages of square footage for commercial spaces. Ms. Shook stated the amount of square footage that was approved in the conditional district zoning. Ms. Shook referred to the applicant's UDO comparison letter in the meeting packet containing the information showing compliance. Mr. Ward confirmed the amount of square footage being proposed over what was approved in the conditional district zoning.

Ms. Meade talked about the calculating of the square footage for the commercial space and the rest of the approval process. Ms. Shook said that Staff provided the applicant's information just as it was presented to the Staff. Ms. Meade asked Ms. Shook if Staff analyzed the information. Ms. Shook said yes as it related to the proposed percentages. Ms. Shook outlined the difference between what the applicant's is providing and the ordinance.

Mr. Githens went over the proposed changes made to the elevations of the buildings from Poplar Grove Road. Mr. Githens talked about the commercial space on Water Street having the commercial store fronts having the highest ceilings. He explained all the building heights as they were presented on the elevations in addition to the entrances into the buildings and the parking deck.

Mr. Githens talked about the proposed project being in compliance with UDO Article 25, Appearance Standards. He said they were proposing a cultural stone for a building material due to weight and cost, if it is permissible. He talked about the proposed features for the project.

Mayor Pro-Tem Mason said in the previous conditional district zoning approval the look of the building appeared to be more historic. However, the current proposal appears to be more contemporary with the change of the look of the façade. Mr. Githens said he prefers to have a façade that is true to what is behind the façade whether it be residential or commercial and this was their thought process, when they re-designed the building. Mayor Pro-Tem Mason confirmed that the façade was changed from the previous conditional district approval.

Planning Commission Member Templeton asked if the clock tower that was previously approved in the proposed plans in the new proposed project. Mr. Githens said it was not depicted and it is not out of the question. Planning Commission Member Templeton said it was an attractive feature.

Council Member Teague asked for more clarification on the increase in building height. Mr. Githens explained what is being proposed over the previous conditional district zoning approval which included changes to the roof thrusts.

Vice-Chairperson Simmons asked if, the residential ceiling height was universal. Mr. Githens said in the proposed plan, they are universal.

Vice-Chairperson Simmons asked what the ceiling heights were in the conditional district approval. Mr. Glenn Weaver, applicant from Harrod/AP, LLC on the conditional district zoning project explained the difference in the ceiling heights. Mr. Githens said the ceiling heights are nine feet in the proposed project.

Council Member Collins asked Mr. Githens if the proposed building height will be higher than the existing Mellow Mushroom building. Mr. Githens pointed out on a map the heights of the buildings going up Water Street.

Council Member Clawson asked how far back from the sidewalk are the buildings. Mr. Githens pointed out that the sidewalk would be a new sidewalk and he showed on the map the location of the sidewalk. Mr. Ward noted that the sidewalk gets tighter at the bus pull out.

Mayor Pro-Tem Mason asked Staff about the zoning being mostly B-1. Ms. Shook referred to page six and number two of the staff report.

Ms. Meade said the applicant's letter indicated there is 8,000 square feet of commercial space in building three, she said that she did not recall a map showing this information. Mr. Githens indicated that this space was in the parking garage and went over the way that he calculated the square footage for building three.

Council Member Teague asked for clarification in the change of unit numbers. Mr. Githens said the number of bedrooms are the same. He said the unit count by unit type has changed. He went over the number of the proposed bedrooms and units.

Mayor Brantz asked Mr. Githens if his company manages the units or do they just do the construction of them. Mr. Githens said that his company are developers and operators. Mr. Githens said that his company manages 90 different assets across the country. Mr. Githens said that his company builds, stabilizes and evaluates their projects. Mr. Githens said his company will

probably exit at some point but wants the property to be as effective as it can be. Mr. Githens said in the event of an exit of his company, there are other companies that are capable of managing the property.

Mayor Pro-Tem Mason asked if the apartment would still be rented to young professionals and students or has this changed with the new proposed project. Mr. Githens said that both are viable markets. Council Member Collins said that the report shows 95 percent students. It was noted that there cannot be discrimination as who to rent to. It was noted that the property does need more than student housing.

Council Member Teague asked about parking. She noted that the survey showed that 74 percent of the people still bring cars to the Downtown area. She asked can the students leave their car on the campus at all times. She talked about the parking being reduced from 184 to 164. She talked about additional short-term parking on W. King Street and the addendum regarding the signed release statement. She talked about many student cars being parked in residential neighborhoods. Mr. Githens talked about his experience with parking in other areas of the country. He noted that additional infrastructure was on the way with the proposed parking garage in the Downtown area to help with the parking issue.

Vice-Chairperson Simmons asked if in the other areas of the country where he gave parking examples, were they all mixed-use projects or straight-up residential. Mr. Githens explained which projects were mixed-use and residential use. He said he could get a break down of parking ratios, if needed.

Vice-Chairperson Simmons talked about the Town trying to protect our corridors for business uses. He said his concern was the possibility of a faux commercial use being proposed.

Planning Commission Member Lippard asked how will the traffic, pedestrian, biking and vehicle concerns be mitigated and he talked about the previous North Carolina Department of Transportation concerns at the Rivers Street and Water Street intersection. He talked about the previous discussion of a turn-around at the intersection of Rivers Street, Waters Street and Poplar Grove Road. Mr. Githens talked about the traffic study results that addressed these concerns. Mr. Deal noted that there will be a sidewalk by the proposed project where there has never been one. Mr. Deal said he felt like this was a mitigation to some of the concerns.

Mayor Pro-Tem Mason asked about the parking spaces for the commercial and residential uses.

Council Member Mizelle asked accessibility questions regarding the connectivity from the parking lot into the buildings. She asked about the possible additional parking spaces. She said that West King Street is already a busy area with parking and she had a concern for people thinking that

West King Street could be used for parking for this proposed project. She noted that if the proposed parking garage is built that parking spaces will be available for retail shopping and restaurants.

Planning Commission Member Catoe asked if any of the surface lot was for commercial use. He said it is for multi-users. He talked about the available spaces that can be used after 5 p.m. each day until the next morning.

Council Member Teague asked if the building staff will use any of the parking spaces. Mr. Githens went over the staff members that might use the parking spaces. He said that they could require staff to park somewhere other than on the property.

Council Member Teague asked Mr. Githens if he had a percentage of the parking spaces that might be used. He said it depends on the user.

Council Member Teague asked about the other parking lots that could be used to help offset the proposed project parking. She asked Mr. Githens if he had talked to any of those parking lot property owners to see, if they had any open parking spaces.

Chairperson Woolridge went over a number of things that does not concern him regarding the proposed project. He said he was not concerned with the parking or building height. He said that he is not sure that he would make a recommendation to approve this proposed project as it has been presented because of the commercial make-up of it.

Chairperson Woolridge asked if the public spaces were generally in the form of the building. He asked Mr. Githens if he was doing a hydro-logical model on this project and are they requiring a low-impact certification. Mr. Githens said yes. Chairperson Woolridge asked if there were calculating the section of the Greenway as part of the easement section behind the garage as part of that model. Mr. Connor Boyle, Engineer on the project said yes because the property has to be elevated at some point. Mr. Boyle said it was shown with the proposed grading and an easement a Greenway could put there. Chairperson Woolridge asked if the property has been graded for the Greenway. Mr. Alan Crees, Engineer from Municipal Engineering said that the grading might need to be tweaked, when the model is designed. Chairperson Woolridge said he would not support this project, if the Greenway was not permitted as part of the project and the grading was not accounted for inside it.

Mr. Crees said the reason he is hesitant about the grading is he is not sure where it ties into the county. He talked about the possible steepness of the property that might need to be smoothed down. He said this could easily be incorporated into the proposed plan. He talked about in the

beginning of this proposed project and the possibility of providing easements for the Greenway. He further talked about the Town doing the engineering for the Greenway, if they wanted it.

Chairperson Woolridge said he wanted to know right now, if the Greenway is going to be designed. Mr. Deal said the part that he can control for the applicant, he can work on it. The part that the County controls, we have no control over it. Mr. Deal said the Greenway will need to be tied into the County's property. Mr. Deal said ideally the Council would work with the County to say they really want to connect to the Greenway. Mr. Deal talked further about the County and their long-range plans for their property that they own from King Street to the Poplar Grove Connector that affects the proposed Greenway.

Mr. Ward suggested to loop the Greenway around the back of the parking deck and connecting it back into the sidewalk system. Mr. Ward said in the future the Town may potentially be able to partner with the County to connect the Greenway.

Mr. Deal talked about the entrances into the development determining the design of the Greenway.

Mr. Githens talked about the flood study presented in the meeting packet.

Chairperson Woolridge asked Mr. Boyle, if he was able to obtain a no-adverse impact. Mr. Boyle said currently the flood study is showing a no rise.

Discussion ensued on the location and construction of the proposed greenway on the property.

Mayor Pro-Tem Mason noted that this property is currently zoned B-1. She said she wanted to make sure that anything that happens in this location compliments the Downtown area. She said that in the proposed project the building height has increased, there is less parking and the appearance of the building has changed. She noted that in the previous conditional district approval there was an attempt to make the development blend with a more historical look in the Downtown area. She said she was struggling with the proposed project. She said just because it is a Planned Development project, it does not mean it can take away the Downtown appearance and character. She said it needs to compliment anything that is going on in the Downtown area. She said some of the proposed changes are significant and she is still wrestling with the proposed changes. She said this community is very committed to our Downtown area and maintaining community character. Again, she said this proposed project needs to compliment the Downtown area and not take away from it.

Planning Commission Member Templeton noted that the proposed project is a vast improvement over what is currently there.

Council Member Teague asked about the price points for commercial and residential spaces. He said for the residential spaces, they would go with the high end of the existing properties based off local comparisons. He said the comps that are most relative on commercial space are the Downtown properties, he said there are the out-lying comps like the Cottages of Boone and the Standard at Boone that is under construction. He said that he knows all their rates. He said he is going with the high end of the spectrum. He said regarding the rates, it depends on the tenant that they attract. He said he felt that a rate in the mid \$20's per square foot could be obtained. He said he guesses the rates for local retailers would probably not be quite as high.

Council Member Collins asked if they were making their leases to put four people in the four bedroom units. Mr. Githens indicated that yes that was their plan.

Discussion ensued on the history of the building's elevation throughout the life of the project. Mr. Deal said he felt like the proposed building appearance was similar to the previous proposal and they are willing to look into it. Mr. Deal said the proposed project needs to fit into the Downtown area. Mr. Deal talked about the various existing building materials in the Downtown area.

Mayor Pro-Tem Mason talked about the possible expansion of the Municipal Service District. She asked if this proposed project would be willing to be a part of the MSD. Mr. Ward noted that the first building in the purple area on the map that Mr. Githens presented would be in the MSD area. Mr. Ward asked the Staff if that would tie the MSD to the entire parcel. Ms. Shook said she would do some research on this to find out. Mr. Ward asked the applicant, if he would be willing to be a part of these services. Mr. Deal answered on behalf of the applicant and said to be a part of the MSD is up for discussion and potential agreement.

Council Member Clawson said the proposed building looks like a dormitory and like it should be on campus rather than in the Downtown area.

Council Member Mizelle asked if it was too early to ask questions about the streetscape. Mr. Crees said there is preliminary landscape plan and the developer will get an architect to fully develop the landscape plan. Mr. Crees said there have been discussions with the Town of Boone Public Works Department regarding switching out the street lights.

Mr. Ward talked about the outside of the front door of the building expanding into a plaza-like entrance. Mayor-Pro Tem Mason noted that in the previous approval the entrance was going to be red brick pavers.

Council Member Teague asked if the apartments will be rented by the bedroom. She asked if two people could rent a studio apartment. She asked can you put more than one person in a bedroom in the Town of Boone. Mr. Deal said, they would rent by the bedroom.

Planning Commission Member Templeton asked if the parking deck would be open on the top. Mr. Githens said the top of the parking deck is all enclosed and the pool is on the upper level.

The first speaker was Eric Plaag. He said he is the Chairperson of the Historic Preservation Commission and a board member of the Downtown Boone Development Association. He said he is not speaking from either one of these roles. He is speaking as a citizen of the Town of Boone. Mr. Plaag told the Council Members that he wanted to be clear that they would be approving undergraduate student housing in the Town of Boone with the proposed project. He noted that the vast majority of the units in the proposed project are desirable by undergraduate students. He said this is contrary to what is contained in the Boone 2030 Land Use Plan. He said that Council agreed that the Boone 2030 Land Use Plan is a guiding document for the Town. He said that the Town would work with the university to solve the problem of the explosion in student housing in the Town. He said that this has not happened. He said he keeps seeing the approval of projects like the Rivers Walk. He said the projects are often proposed for young professionals and they morph into a glorified fancy dorm. He said the Council is on the verge of doing this again, if they approve it. Mr. Plaag said he was horrified with what has happened with the Standard at Boone and the traffic that will come from that project. He said the applicant said there would not be an inflow or outflow of traffic at 8 a.m. or 5 p.m. during the day. He said it took him 20 minutes to get from his house just above the Town of Boone to the Council Chambers today. He said this timing is typical for traffic and the Standard of Boone is not completed yet. He said imagine what the traffic will be like with the students getting out in their cars and many of them going to work. Mr. Plaag said he was offended by a developer coming before the Board of Adjustment and asking for a variance on height and the developer was willing to work with the approved variance for a 40 foot building height. And, then later ask for a 51 feet of in building height for the same project. He said why go through with a variance hearing. Mr. Plaag told the Council that they have changed the zoning requirements to make it easier for the developer. He told the Council that he feels that they have failed in their duty to the Town by allowing it. Mr. Plaag talked about the proposed pool on the top level of the parking garage being on the north side of the building and it shielded on three sides which are east west and south with a presumed 12 foot wall all around it. It said it seems very strange to him why anyone would want to sit around a pool in the shade. Mr. Plaag said he was horrified by what was being proposed for exterior building materials. He talked about Mr. Glenn Weaver coming to him at a Board of Adjustment hearing and asking to come to the Historic Preservation Commission meeting to discuss strategies for meeting the requirements that would be satisfactory to the HPC members. And, Mr. Plaag nor the Planning and Inspections Department have heard from Mr. Weaver. Mr. Plaag talked about the fiber-cement board not being a historic building material. Mr. Plaag said there are no historic buildings in Downtown Boone that have cultural stone or fiber-cement board on them.

Mr. Plaag talked about the proposed parking spaces for patrons being two to four spaces. He talked about there being a proposed restaurant on the Water Street side of the project. He reminded the Council about the Mellow Mushroom parking problems and the towing of the cars from the parking lot next door. He talked about the Rivers Walk project being proposed within the same block of the other parking issues. Mr. Plaag said and with the Rivers Walk project you will be inviting a similar parking situation into the Town within the same block which strikes him as being very short-sided as a nice way of putting it. Mr. Plaag talked about the two properties that are immediately adjacent to the proposed property that are national register eligible properties. He said one of them is the Old Watauga County Jail to the north on Waters Street and the Rivers House on Poplar Grove Road. He said he is currently working on his own time to put one of these houses on the national register. Mr. Plaag said in addition the Historic Preservation Commission is looking at potentially making these properties local landmark designation sites. He told the Council that they had asked the HPC to look for these type properties that are appropriate for landmark designations. He said if this proposed project is approved, it will damage the integrity of these two landmark designation sites. He said this is a bad thing in a Town that struggling to hold on to the historic elements that it has left. Mr. Plaag talked about the proposed renting by the bedroom feeding a problem in the Town as it relates to the affordable housing problem. He said he might feel differently, if the developer proposed housing for young professionals with rules to manage it. He said instead they are taking more of the potentially living space with student housing. He said there are people who cannot afford to rent in Town because of the further increase of rent because of the rent by the bedroom scheme. He talked about having a development that really does cater to what the Town has made a priority which is affordable housing. He said another solution would be to take one story off of the building. He said removing the pool will save them a number of units that they would otherwise not have to deal with in this proposed project. He said the height problem would be resolved by taking off one story and it would resolve some of the parking issues because there would not be a need for more parking spaces and some commercial spaces could be added. Mr. Plaag said he would urge the developer to meet with the HPC and discuss the exterior building materials and style. Mr. Plaag asked the Council to not approve this proposed project because it is a monstrosity and there is no going back once it is approved and built.

Planning Commission Member Templeton asked Mr. Plaag who his employer was. Mr. Plaag said he worked for his own company called Carolina Historical Consulting Company. It was noted that his company is a local company.

The second speaker was Ms. Pam Williamson, she came to the podium and presented the comments from her a six-page handout (permanently attached). She noted that this proposed project is the first project under the new Planned Development process. She asked a point of order question. She asked under this new process is the applicant not allowed to come before the Board of Adjustment anymore. Ms. Williamson said maybe the Council wanted to think about her

question. Ms. Williamson said this is not fair to the citizens because they are not able to ask questions of the petitioners. Ms. Meade confirmed that it is a different process now.

The third speaker was Mr. Glenn Weaver from Harrod/AP, LLC the owners of the Southern States property. He said their property cost is \$21,000.00 per unit based on 119 units. He said there is no way you can build affordable housing in Downtown Boone on land with this type of cost per unit. Mr. Weaver said this proposed project will create 220 jobs for one year during construction, plus the additional employment in the commercial spaces. He said he could not solve the low-income or affordable housing. Mr. Weaver said he could suggest if available housing is increased for young professionals and students, it will free up housing that was built 50 and 60 years ago that is currently being occupied by students. He said this would then create available housing to be rented at a lower rate to lower income people. Mr. Weaver talked about Mr. Plaag saying that he had not communicated with him regarding the proposed project as it relates to the Historic Preservation Commission. Mr. Weaver said he did meet with Mr. Plaag and he took the criticism seriously about the character of Boone. Mr. Weaver said he went to Boone, Blowing Rock, Hendersonville, Yadkinville and several other cities and took photographs to review to try to determine what the character of Boone is. Mr. Weaver said he researched other buildings like the previous court house which was more than 40 feet tall and some other buildings that were more than 40 feet tall that no longer exist. Mr. Weaver said he hired a local architect, Mr. Bill Dixon and he redesigned the building to include a significant amount of brick and rock to meet the UDO requirements. Mr. Weaver talked about the low marks that the previous design received from the Board of Adjustment. Mr. Weaver talked about Mr. Dixon being a member of the Historic Preservation Commission and with that knowledge, he was able to design the building with historic building materials in mind. Mr. Weaver talked about the compromises to building a 40 foot high building. He said some of the compromises are the elevators must be located in multiple locations and they can never serve the top floor because of the safety code state requirements. Mr. Weaver said that Mr. Githens and his company wanted to change this. Mr. Weaver talked about over half of the previous building not being handicap accessible. Mr. Weaver talked about the benefits of the Planned Development process. He said this process gives the developer an opportunity to find the character of Boone. Mr. Weaver said the developer will have the hardscape and landscape plans designed as they move forward with the project. Mr. Weaver talked about the 95 percent amount being selected to represent the number of students in the building and the expected number of beds allowed to the units. He said he feels like this is a realistic number. He said this calculation had to be made because it is associated with the parking study. Mr. Weaver said he was asked to come to Boone in 2005 by his friend Mr. Bodie Bodenhammer to work on developing a project with housing and retail which would improve the Downtown area. He said it has taken him this long to find a location. Mr. Weaver talked about needing help from the private and public sector, when doing development in a Downtown area. Mr. Weaver said today most people like to see modern clean designs and it is hard to incorporate that into historic buildings.

Mr. Weaver said his company's goal is to develop housing, commercial retail and parking and to improve the Downtown commercial district. Mr. Weaver talked about his experience with writing tenant leases. He talked about writing a tenant lease and securing parking for the tenant in the lease, he said this is a major commitment. He said he was surprised that Mr. Githens and his company agreed to do so for this proposed project. Mr. Weaver said, if Mr. Githens is not absolutely confident that he can control the tenants and he has sufficient tenants, he is guaranteeing failure of this project. Mr. Weaver talked about university leases for parking spaces that do well are completed in January, February and March of each year. Mr. Weaver said he talked to the manager of the parking lot across the street from the proposed project and he only has two spaces left to lease. The spaces will be provided on a first-come and first serve basis. He said he would let the students know about the availability for parking in this lot. Mr. Weaver said he is sincere in saying that this will be a good project. He said his company has never done a project that was not a top of the line project. He said if his company cannot meet the needs of our community, they do not need to be in our Town.

Mayor Brantz closed this public hearing at 8:28 p.m.

At 8:29 p.m., Mayor Brantz called for a five-minute break.

At 8:36 p.m., Mayor Brantz reconvened the hearing.

CASE 20150149 PUBLIC HEARING PROCESS - Before adopting or amending the UDO (NCGS 160A-364) or the zoning map (NCGS 160A-384), the Town is required to hold a public hearing. Currently the Town processes text (UDO 9.02.01) and map (9.02.02 & 9.02.03) amendments through a quarterly public hearing process.

Application processing timelines range widely from fifty days to more than 120 days depending on when an applicant submits an application. The only way to expedite the approval process is to appear before Council and request a special public hearing. However, even this process can add up to 20 days to the processing of an application. Furthermore, special public hearings interrupt the normal workflow of staff and increases the opportunity for mistakes.

Given the number of requests for special public hearings (6 in 2014 for example) and the length of time it takes to get from application to decision, Council authorized Planning Staff to develop alternatives that would streamline the amendment process and provide for more frequency.

Ms. Shook presented this case as outlined in the meeting packet. Ms. Shook also added that the four-page handout given to each Council and Planning Commission member at this meeting was revised by the Town Attorney, Ms. Allison Meade (permanently attached). Ms. Shook said the revisions made in the handout simplified the language drafted by the Staff found in Sections 9.01 and 9.02 in the staff report. Ms. Shook talked about needing to meet Council and advertising deadlines. Ms. Shook noted that in the proposed change the Planning Commission meeting would move to the first Monday of the month.

Ms. Shook explained the current text or map amendment change process from the receipt of the application through the public hearing or special public hearing. Ms. Shook went over the current number of monthly meetings and the proposed number meeting needed per month to meet UDO requirements. Ms. Shook also explained that proposed public hearings need Council approval. Ms. Shook noted that the purpose of this proposed change to the Quarterly Public Hearing process was to simplify the process. Ms. Meade added that there is still a filtering affect adding into the proposed process change. Ms. Meade noted that the Council would still need to give the direction that they want the Staff to proceed to work on an applicant's request. Ms. Meade said that other changes would be initiated by Council or from recommendations by Staff. Ms. Meade said there is an exception and that is if the Town Attorney or Planning Administrator feels a change needs to be made due to State law, the Staff would not have to get Council's approval to draft a proposed change. Ms. Meade noted that this is a short proposed change due to adding the text and general map amendment into one amendment.

Planning Commission Member Boyle asked if in the new proposed QPH process the Planning Commission members would discuss the recommendations to the case after the public hearing on the same night. Ms. Shook said yes. Ms. Shook further explained that according to the current UDO language, the Planning Commission members are required to make a decision on a case on the same evening. Ms. Shook noted that there may be times, when the Planning Commission may not want to make a recommendation on the same evening on a case. Ms. Meade explained the difference in the current process and the proposed process regarding possible extra research that might be needed to make a decision on a case.

Discussion ensued regarding legal time frames for recommendations and decisions. Planning Commission Member Simmons said he was uncomfortable with the proposed QPH process change. He talked about potential pressure of the Planning Commission members to need to make a decision without having an opportunity to visit a development site or do research in adjacent towns to prepare for Planning Commission meetings. He talked about emailing Mr. Bill Bailey, Director of Planning and Inspections Department his thoughts on this proposed process.

Ms. Shook said that Staff was asked to make changes to the QPH process so that the applicants were not having to wait 120 days as a worst case scenario. Ms. Shook talked about the legal requirements for public hearings and the Planning Commission recommendations. Ms. Shook talked about when it is necessary to have a special public hearing and that Council has been very good at granting them, when necessary. Ms. Shook said that the Council wanted the Planning Commission involved at the public hearings to make sure that everyone was hearing the same information. Ms. Shook talked further about finding a way to expedite the hearing process. Ms. Shook explained that with the proposed process change, there would only be one joint-meeting per month instead of two meetings per month. Ms. Meade noted that the proposed process would help get proposed UDO changes made in a timelier manner. Ms. Meade asked Chairperson Woolridge to explain the current process of how the public hearing and Planning Commission meetings are

scheduled and how the Planning Commission members would handle the discussion and decisions on the cases. Chairperson Woolridge explained that a case as complex as the Rivers Walk would probably take two hours of discussion to possibly come to a decision after the public hearing had taken place.

Council Member Teague asked the Planning Commission members if they would be willing to have a public hearing once a month on the night of the Planning Commission meeting, if there was a need for a public hearing. Then, have another meeting on the next Monday night to discuss the case from the public hearing.

Chairperson Woolridge said he is fine with the proposed change as long as the Staff is explicit that on major cases, the Planning Commission members will be able to discuss the case at the next Planning Commission meeting or have two meetings per month.

Council Member Teague said at the next Planning Commission meeting there could be another public hearing. She said if you do not set up a two meeting a month schedule, you could still be in this same situation.

Mayor Pro-Tem Mason talked about the Planning Commission having the option of calling a special meeting for further consideration of a case or continuing the discussion on a case at the next Planning Commission meeting.

Council Member Teague said at the 2016 Council Retreat the Council talked about the Planning Commission members not having to attend multiple meetings each month.

Planning Commission Member Boyle said he had rather go with having the occasional special public hearing, when needed rather than committing to a regular monthly schedule of having one meeting each month.

Vice-Chairperson Simmons explained that at many of the Planning Commission meetings after there has been a public hearing, an applicant will have more information that they want to talk about at the meeting. He said the Planning Commission will re-open the public hearing without the Council being present. He further talked about the negotiations and discussion for a case that may happen at a meeting and the list of things that the Council and Planning Commission members may want to discuss about a case.

Discussion ensued on the possible need for Council and the Planning Commission to be at the same meeting to discuss potential conditions and negotiations with the applicant.

Council Member Clawson said she felt the whole new Planned Development process is going to be very difficult. She said that we are in a learning curve and she thinks there will be some problems.

Chairperson Woolridge said at the same time, he felt like it will be a better process with the possibility of working with the developers in the beginning of the proposed project to gather more information from them.

Discussion ensued on the completion of the greenway in the Rivers Walk proposed Planned Development project.

Mayor Pro-Tem Mason asked when the Planning Commission members make a recommendation will they need to look at the four findings per UDO Subsection 14.05.01(B).

Mayor Pro-Tem Mason said the Planning Commission recommendations have been very thoughtful and well documented. She told the Planning Commission that she appreciated their work on the recommendations.

Discussion ensued on the re-opening of a public hearing and the Council being present to hear proposed project information.

Discussion ensued on state law requirements and the holding of town meetings.

Discussion ensued on the mixing of the terms public hearing and public meeting.

Discussion ensued on what happens when the Planning Commission opens a public hearing to hear new information without the Council being present.

Vice-Chairperson Simmons shared his concern regarding the drafting of motions for case recommendations. He said in the proposed change, he would not be able to draft a motion for a case as well in the same night as the Planning Commission meeting because he normally has a week to draft a motion for a case.

Planning Commission Member Lippard shared what he does in order to prepare for the cases between the public hearing and the Planning Commission meeting. He also noted that the Rivers Walk Greenway topic was discussed in a past Planning Commission meeting

Planning Commission Member Long asked would it be fair for Staff to draft the language to allow the Planning Commission to make a motion to vote to go ahead and make a recommendation in the same night in the same meeting. He did not want the obligation of the Planning Commission members to have to make a decision on more difficult cases on the same night.

Discussion ensued on three options to handle the easier cases in the same night, schedule a special public hearing or let the case discussion continue at the next Planning Commission meeting.

Council Member Mizelle said that because she is on various boards in the Town, she would like to be at a meeting where the case negotiations were being discussed.

Discussion ensued for Planned Development cases to schedule a Planning Commission meeting prior to the public hearing. Mayor Pro-Tem Mason said she felt it would be more productive to discuss case negotiations in a joint-meeting.

Ms. Meade said that she would do some research on how other Towns handle the Planned Development process.

Vice-Chairperson Simmons asked if the public notification will be the same in the proposed process change. Ms. Shook said the public notices do not change because they are state statute and the Council has adopted additional statutes that they do not wish to change. Ms. Shook added that the property owner notification letters gives notice to the property owners and the dates of the Public Hearing, Planning Commission meeting and the Council meeting.

Due to the many concerns, it was the consensus of the Council to withdraw case until further research and modification could be done.

Mayor Brantz closed this public hearing at 9:18 p.m.

ADJOURNMENT

Mayor Brantz adjourned the hearing at 9:19 p.m.

VOTE:

Aye-All
Nay-None

The vote was unanimous.

Rennie Brantz, Mayor

Marlene Crosby, Board Secretary

Eric Woolridge, Planning Commission Chairperson

Presented to the Record
April 4, 2016 Town of Boone Public Hearing
Pam Williamson • 375 Old 421 S • Boone

Rivers Walk (The Skinny):

- A mega apartment housing complex to be built in downtown, 51 feet tall, with elevators, 380 bedrooms, on 2.75 acres—not all of which is useable.
- All owners of the property are non-residents of Watauga County
- 95% student rent-by-the-bedroom housing

HISTORY OF THE PROJECT:

Property for Rivers Walk was originally zoned B-1, Central downtown business district.

First the developer went to the Board of Adjustment to get two variances, one of which was to increase the building height to 40 feet from the allowed 35 feet.

Then, around a year later, the developer got Council to rezone the property to a Conditional Use district to further reduce regulations related to height, parking requirements, etc. At that time, they complained that having to build such a huge complex on such a small parcel of land was a “hardship.”

When Council Member Mason asked the developer about parking concerns, the response was that they wanted to encourage walking and biking. When Planning Board member Simmons pointed out that crash data from the Town of Boone’s adopted bike plan found that River Street is only second after Blowing Rock Road for crashes and that there is no bike lane on Water Street, no one responded.

Then came the advantage of a Planned Development, where developers can circumvent even the Town’s minimum regulations. So now they’re back.

This time around they want to increase the height of the building to over 51 feet in places. *(Don’t you want to see an elevation before you vote to approve this massive building height in downtown?)* Now they want to

use fake stone in place of real stone on the outside. They want to further reduce the number of residential parking spaces. There never was, and still isn't, any space for commercial use parking. Landscaping is now pretty much down to none.

We've come a long way from B-1 haven't we? A zoning classification which is supposed to maintain the downtown's small town character, and in which only compatible residential uses are to be encouraged.

(1) PARKING/TRAFFIC ISSUES:

Residential Parking: The developer hired out the required traffic/parking study. They surveyed 394 students, and determined that 74% of students who rent space from them will bring their cars to Boone.

Now on Page 58 of your packet, the developers present a pretty chart about how they get to take off 20% of parking requirements because their development is near public transportation, another reduction for bike parking, and another reduction for motorcycle parking. But all of these reductions are baseless because the fact remains that even according to their own math and accounting, 281 of the students who will rent one of the 380 bedrooms at their development will have a car and need to park it somewhere.

Yet of the 281 car spaces they admit they need, they only offer a total of 164 spaces. Their answer to how to fill the need for an additional 117 parking spaces is:

-- for 100 residents to rent parking in a private gravel lot across the street that charges \$800 dollars a year for a space, first come first serve. I called today to inquire about the current availability of parking spaces in that lot. There are eight. And what happens if Mr. Holton decides to develop or sell his gravel parking lot? What are the developers' backup plans in that case? What are your backup plans?

-- or rent a parking space somewhere in an ASU lot. ASU students have to remove their cars on home game days. Where does the developer propose they move those cars on those days? Besides, why would anyone living at the new development park their cars at State Farm Road or any other ASU site? They will look to park their cars where they

live. Unless, of course, what we're really building here is simply a dorm in downtown Boone.

Bottom-line: The development does not provide parking for 42% of the residents the developers themselves admit will be living at their development and who will have a car to park.

In other words, the development does not provide adequate parking as required by the UDO.

In addition, your own zoning administrator tells you the trip generation in the development traffic analysis projects a net total of 1,271 trips per day. That's 1,271 additional vehicles per day coming in and out of the development from Poplar Grove and Water Streets.

Commercial Parking: The developers acknowledge a need for 21 parking spaces for the commercial portions of the development. Yet where is the parking for the commercial reserved? Nowhere. The project instead proposes to direct its retail customers to metered parking on King Street.

Haven't we learned yet that without any on-site retail parking, the spaces just don't get rented? Or are we just gonna hope all that somehow works itself out.

2. DEVELOPER MEETING NOTIFICATION WITH NEIGHBORING PROPERTY OWNERS:

How is it that the developers only had to notify property owners within 150 feet of the proposed development for its neighborhood meeting, but when they have to rely on off-site parking, they get to propose going 500 feet out from the development looking for solutions that affect other property owners and businesses?

That's why even though this project is important to all of us who live in, work in, drive in, or shop in Boone are affected by this development, only 9 people attended the meeting-- 4 of whom were there on behalf of the company and another the county manager.

And by having the developer write up the neighboring property concerns instead of having a staff member at the meeting, all we know is that

there were concerns raised about the height of the building which the developer now increases, and concern over traffic and parking spaces, which the developer now complicates by driving its residents and retail visitors elsewhere. And what about the neighborhood concern for relocating the dumpsters? Has that been done?

3. THE 2012 TOWN OF BOONE HOUSING REPORT:

In 2012, the Town of Boone commissioned a professional housing report. The report conservatively concluded that at that time, student housing was overbuilt by over 2,000 units and that supply was fast increasing. At the time of report, there were over 17,500 student apartments already available or being built. Since that time, a substantial number of new student housing developments have been approved and/or built, including but not limited to, University Overlook, Green Street, Winkler Square, and The Standard.

We're oversaturated with rent-by-the-bedroom housing and yet the Council has thus far refused to act, even though the study warned Council that there are no natural incentives for developers to build anything other than rent-by-the-bedroom housing and that the Town of Boone must develop a regulatory plan.

4. PLANNED DEVELOPMENT REQUIREMENTS: *"How will the Planned Development mitigate the impacts on the surrounding area?"*

Noise: The developer asserts that because any balconies will be located at the back of the building, noise will mostly just be significant on the units up against the creek. They promise to have someone around to handle complaints.

Negative Visual effects: The developer argues that their 5-Story mega housing development squeezed into a two acre building site will be a pleasant gateway into downtown Boone, just like all our other mega housing developments have supposedly enhanced our gateways. Not.

Negative Traffic Effects: See above.

Historic Preservation: The Town of Boone ordinance stresses the need to protect the historic significance of downtown Boone. The red

building currently located in the development's wake is the last remaining structure used for Tweetsie Railroad. It will be torn down. The Rivers House across the street from the development, now known as Rivers Park (*a property owned by the people of Boone who were not by the way invited to the Neighborhood meeting*) is the last residence in Boone that stands from the time period of the railroad. The development will cause it to be enveloped in a shadow all day long every single day. Proper, the Town's historic jailhouse, is right next to the mega development and is the town's old jailhouse. Has anyone considered the effects of a 5-story mega development on these historic properties?

5. OTHER UDO CONSIDERATIONS:

- How does this development *"blend the built environment with the natural, scenic, and historic character of a High Country small town"*?
- How does this development *"support and enhance the cultural and historic significance of downtown Boone"*?
- How does this development *"reflect the realities and qualities befitting Boone's geographical setting and function as a center of (1) commercial and service activities, (2) educational and cultural activities, events and (3) public services"*?
- How is this development *"consistent with the neighborhood and architectural context of the immediate area, and supportive of Boone's original community character as a High Country small town"*?

6. A PLANNED DEVELOPMENT SHOULD ONLY BE APPROVED BY COUNCIL IF:

- *"The proposed development will produce a development of equal or higher quality than otherwise required by the strict application of district regulations that would otherwise govern."* There is no way to conclude that a mega 5-story rent-by-the-bedroom housing complex in downtown Boone with inadequate parking and virtually no landscaping is "of equal or higher quality" than what you get with the minimum regulations dictated in a B-1 zone.

--*"That the proposed PD will produce a development functioning as a cohesive, unified project"*

There is no way the project can be deemed cohesive and unified because it can't accommodate 42% of the cars they themselves acknowledge their own residents will have nor can they accommodate any of the 21 parking spaces on-site for visitors to their retail establishments.

--*"That the proposed PD will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the Town."* What you allow to be built at this site will set the stage and your precedent for whatever else is built in downtown. Residents and the Town's own planning policies have repeatedly affirmed the desire to preserve what is left of Boone's small town feel. **How is this development better for neighbors and the community than using compliance with the Town's policies, a requirement of Town ordinances?** It isn't. The development therefore does not meet the intent of the Town's own development policies and plans.

We all know the Town is already oversaturated with rent-by-the-bedroom. We all know this project will set the stage for turning downtown Boone into nothing short of dormitory living. We all know three historic properties are jeopardized by this development. We all know, and the developer admits, that because the development does not provide adequate parking for its residents and retail visitors, additional pressure will be put on downtown parking and traffic.

It is not your responsibility to ensure highest profit for the developer. You have options. You can demand a mixed development in character and size with our historic downtown and still encourage walkability and bikability. You do not have to approve every rent by the bedroom mega development that comes your way.

The only thing left to find out is whether we as a Town are going to once again turn a blind eye to these issues, sell our souls, integrity and vision down the river, or finally stand up and do the right thing by denying this project.

9.01 Amendments in General

9.01.01 Amendments to the text of this Ordinance (hereafter, "the UDO") or to the Town's officially adopted zoning map shall be made in accordance with the provisions of this Article.

9.02 Initiation of Amendments

9.02.01 Text and General Map Amendments

A. The drafting of proposed text amendments and general map amendments may proceed only upon direction given by Council to Staff (i) upon Council's own initiative, (ii) upon recommendation made by Staff, the Town Attorney, or any Town board, commission, or other entity, or (iii) upon consideration by Council of a petition made by any third party; *provided, however*, that amendments considered by the Administrator or the Town Attorney to be necessary or advisable in light of state law may be prepared without prior direction by Council.

(20150149-04212016)

B. Every proposed text amendment shall be drafted by the Administrator or the Town Attorney, in consultation with each other.

C. Any person may petition the Council to amend the text of this Ordinance or for a general map amendment. Such petition shall be heard by Council during the public comment period at the next available regularly-scheduled Council meeting. The petition shall be filed with the Administrator and shall include at a minimum:

1. The name, address, and phone number of the applicant, and
2. In the case of a proposed text amendment, a summary of the specific objective of any proposed change in the text of this Ordinance.
3. In the case of a proposed general map amendment, (i) a description of the land affected by the proposed amendment, and (ii) a description of the proposed map change.

The Administrator may, in his or her discretion, prepare an analysis of the proposed amendment to assist Council in determining whether Council will authorize (i) further consideration of the amendment by Staff, (ii) drafting of a proposed amendment, and/or (iii) the setting of the proposed amendment for public hearing and consideration by the Planning Commission. Any such analysis by the Administrator shall address the conformity of the proposed amendment with the Comprehensive Plan and other officially adopted plans of the Town, as well as such other matters as the Administrator deems relevant.

(20150149-04212016)

9.01 Amendments in General

9.01.01 Amendments to the text of this Ordinance (hereafter, "the UDO") or to the Town's officially adopted zoning map shall be made in accordance with the provisions of this Article.

9.02 Initiation of Amendments

9.02.01 Text ~~Amendment~~ and General Map Amendments

~~A. Only~~The drafting of proposed text amendments and general map amendments may proceed only upon direction given by Council ~~may initiate an amendment to this Ordinance. Staff and (i) upon Council's own initiative, (ii) upon recommendation made by Staff, the Town Attorney, or any Town board, commission, or other Town entities (boards, commissions, advisory bodies, and other such entities), when they are charged or empowered with making recommendations to the entity, or (iii) upon consideration by Council regarding of a petition made by any third party; provided, however, that amendments considered by the text of Administrator or the UDO, may make recommendations regarding potential desired changes to the UDO to the Council, but the preparation of the text of a proposed draft amendment shall only proceed after the Council has endorsed the policy objectives sought~~Town Attorney to be achieved with the recommendation and has acted to authorize preparation of a draft text amendment.

~~B.A.~~ Ordinance changes necessary ~~due to changes~~or advisable in light of state law, may be prepared without prior endorsement of thedirection by Council.

(20150149-04212016)

~~C. Whenever a request to amend the text of this Ordinance is initiated or authorized by the Council, the Town Attorney in consultation with the Administrator shall determine whether the Every proposed text amendment represents substantive planning policy or procedural matters, such as enforcement procedures, amendment procedures and appeal procedures.~~

~~D. If the Town Attorney determines the proposed amendment represents a substantive planning policy, the Administrator shall draft the text of the proposed amendment in consultation with the Town Attorney. Before an amendmentshall be drafted by the Administrator is presented to the Council for consideration,or the Town Attorney shall endorse and date the draft amendment with the following statement: Approved as to Form this ___ day of ___, 20___, _____Town Attorney.~~

~~E. If the Town Attorney determines the proposed amendment represents a procedural matter, the Town Attorney shall draft the text of the proposed amendment, in consultation with the Administrator. Before an amendment drafted by the Town Attorney is presented to the Council for consideration, the Administrator shall endorse~~

~~and date the draft amendment with the following statement: Approved as to Planning Policy this ___ day of ___, 20___, ___, Administrator.~~

B. Anyeach other.

F.C. Any person may petition the Council to amend the text of this Ordinance. or for a general map amendment. Such petition shall be heard by Council during the public comment period at the next available regularly-scheduled Council meeting. The petition shall be filed with the Administrator and shall include at a minimum:

1. The name, address, and phone number of the applicant, and
2. AIn the case of a proposed text amendment, a summary of the specific objective of any proposed change in the text of this Ordinance.

~~Upon receipt of a petition the Administrator shall forwardIn the petition to Council with or without written comment for a determinationcase of whether a draft amendment should be prepared in accordance with Subsection 9.02.01(B).~~

~~Upon receipt of a draftproposed general map amendment, should (i) a description of the Council act to proceed with its consideration, it shall establish a date for a public hearing.~~

~~1.3. The public hearing may be scheduled at a pre-arranged date, time and location, such as at a "quarterly public hearing," or at such other date, time and location authorizedland affected by the Council which will allow proper notice to issue in advanceproposed amendment, and (ii) a description of the hearingproposed map change.~~

G. ~~No later than seven (7) days prior to the date set for the public hearing, the~~The Administrator ~~shallmay, in his or her discretion,~~ prepare an analysis of the proposed ~~petitionamendment~~ to assist Council in determining whether Council will authorize (i) further consideration of the amendment by Staff, (ii) drafting of a proposed amendment, and/or (iii) the setting of the proposed amendment for public hearing and consideration by the Planning Commission and Council in determining. Any such analysis by the Administrator shall address the conformity of the ~~draftproposed~~ amendment with the Comprehensive Plan and ~~any~~ other officially adopted ~~planplans~~ of the Town ~~which relate to the proposed amendment, as well as such other matters as the Administrator deems relevant.~~

(20150149-04212016)

9.02.02 — General Map Amendments

~~A. Any person may petition the Council to amend the Zoning Map. The petition shall be filed with the Administrator and shall include at a minimum:~~

- ~~1. The name, address, and phone number of the applicant,~~

- ~~3. A description of the land affected by the proposed amendment, and~~
- ~~2. A description of the proposed map change.~~

~~Upon receipt of a petition, the Administrator shall forward the petition to Council to establish a date for a public hearing.~~

- ~~1. The public hearing may be scheduled at a pre-arranged date, time and location, such as at a "quarterly public hearing," or at such other date, time and location authorized by the Council which will allow proper notice to issue in advance of the hearing.~~

~~(20150149-04212016)~~

- ~~B. No later than seven (7) days prior to the date set for the public hearing, the Administrator shall prepare an analysis of the proposed petition to assist the Planning Commission and Council in determining the conformity of the draft amendment with the Comprehensive Plan and any other officially adopted plan of the Town which relate to the proposed amendment.~~

**PLANNING COMMISSION
MEETING MINUTES
MONDAY, APRIL 11, 2016
6:00 P.M.**

PLANNING COMMISSION MEMBERS: Chairperson Eric Woolridge, Vice-Chairperson Greg Simmons, Connor Boyle, Carolina Catoe, Michelle Dineen, Susan McCracken, Matthew Long, Charlie Myers, Jon Tate, Matthew Vincent and Jeff Templeton

PLANNING STAFF: Bill Bailey, Planning Director, Jane Shook, Planning Supervisor and Marlene Crosby, Board Secretary

Chair Woolridge called the meeting to order at 6:07 p.m.

ADOPTION OF AGENDA

Member Tate made a motion to accept the agenda as presented, seconded by Member Boyle.

VOTE:

Aye-All

Nay-None

The motion passes.

APPROVAL OF MINUTES

Member Tate made a motion to approve the January 6, 2016 Special Public Hearing minutes, seconded by Member Boyle.

VOTE:

Aye-All

Nay-None

The motion passes.

Member Boyle made a motion to approve the January 11, 2016 Planning Commission meeting minutes as amended with minor modifications made by Member Templeton, seconded by Member Tate.

VOTE:

Aye-All

Nay-None

The motion passes.

CASE 20150944 and 20150945 HAMPTON ESTATES

Chairperson Woolridge noted that this case has been withdrawn by the applicant on March 31, 2016.

CASE 20160136 RIVERS WALK:

Mr. Jeff Githens with McKinley Boone, LLC has filed a Zoning Map Amendment Petition for a planned development consisting of a mixed-use building containing both residential and commercial uses, including a parking deck for properties located at 178 South Water Street, 190 and 208 Poplar Grove Road. The building will contain 119 dwelling units with 380 bedrooms; with the following uses proposed to be allowed for the commercial portion of the building 11.06 Restaurant $\leq$ 2,500 ft² open to the public during 10 pm – 6 am, 11.07 Other Restaurants $\leq$ 2,500 ft², 11.08 Restaurant $>$ 2,500 ft² open to the public during 10 pm – 6 am, 11.09 Other Restaurants $>$ 2,500 ft², 11.12 Personal Service Establishment open to the public during 10 pm – 6 am, 11.13 Other Personal Service Establishments, 11.14 Retail Store up to 5,000 ft², 11.15 Retail Store more than 5,000 but less than 25,000 ft², 11.18 Business or Profession Office open to the public during 10 pm – 6 am, 11.19 Other Business or Professional Office, 11.23 Medical Office, Category 4, 12.10 Recreation Facility, Category 1, and 14.02 Brewpub.

Chairperson Woolridge opened the floor for discussion on this case. Mr. Bill Bailey, Director of Planning and Inspections Department informed the Planning Commission members that Member Boyle had requested to recuse himself from this case because he is professionally involved in the proposed project.

Member Templeton made a motion to recuse Member Boyle from this case, seconded by Member McCracken.

Vote:

Aye – All

Nay – None

The motion passed.

Member McCracken made a motion to open the public hearing to hear new information from the applicant, seconded by Member Tate.

VOTE:

Aye-All

Nay-None

The motion passes.

Mr. Jim Deal from Deal, Moseley and Smith representing the applicant introduced Mr. Jeff Githens from Peak Development, LLC to present additional information regarding the greenway connection to Water Street and the exterior appearance of the building.

Mr. Githens from Peak Development, LLC presented new information in a drawing and answered questions on it from the Planning Commission members. He said the drawing showed the “greenway connection to Water Street (permanently attached) is a follow-up to the dialog that was talked about at the special public hearing for this case.

Mr. Githens talked about meeting Chairperson Woolridge on site to discuss the greenway. He talked about the proposed location of the greenway. He said it will be entirely on the Rivers Walk property. He said he thinks he can keep the dumpsters in an area that is preferable to the property owners. He said the dumpsters are not all the way to the edge of the parking lot but still away from Water Street side of the surface lot. He said the area of the greenway that they are willing to construct stops at the parking garage. He said the easement and design still continues from that point to go around the parking garage, if there is ever an attempt to continue the greenway in the future. He said it would be considered in the flood study update unless there is deviation from it, it should be in good standing if the Town decides to continue the greenway to the county’s property. Mr. Githens said this was the best alternative for the greenway because there were easements that would have needed to be obtained from surrounding property owners and a retaining wall was needed.

Member Long asked if the proposed greenway is paved from Water Street to the future area behind the parking deck. Mr. Githens said that was correct, the greenway stays on the Rivers Walk property.

Chairperson Woolridge asked Mr. Githens why his company is not willing to build the Greenway to the county’s property line. Mr. Githens said they are not unwilling on his part and he talked about the original approval of the conditional district approval for this case and the anticipated easement being provided to the county without any greenway construction. He said he saw utility in the greenway being constructed as part of his contribution to the Town and he thought it made sense. They decided to include it as part of their construction budget and add to their parking deck. He said the remainder of the greenway construction depends on what goes on around the proposed project. He said because he did not know ultimately what might happen around the proposed project, it did not make a lot of sense for him to commit himself, when the future of the greenway was unknown. He said his offer is a better offer than the original Rivers Walk approval and it is a component of the greenway that will be used.

Commission Member Myers asked if at the end of the Rivers Walk greenway where the greenway pavement stops would the greenway be roped off so cyclists will not be able to continue to travel

on it. Mr. Githens said this area would be a landscaped area and he would not be inviting that scenario to happen.

Commission Member Templeton talked about the possibility of the exchange of extending the greenway for other things that could be decided on collectively that are being asked for. Mr. Githens said it was a fair request.

Mr. Githens talked about working cooperatively with the Town of Boone regarding the architectural appearance and the building materials. He talked about red brick. He suggested making a good faith effort to come up with what the exterior of the building should look like. He said that no one has told him definitively what that look is and it is difficult to know how to prepare for it.

Member McCracken asked for clarification on the hardy board building materials. Mr. Githens said he is open for discussion on the façade treatments and color scheme and he needs to know what the building materials should be.

Discussion ensued on the proposed windows for the building especially on the street level. Mr. Githens said the proposed plans comply with the window requirements on the primary and secondary streets.

Member McCracken asked if the percentage and distribution of the hardy board being proposed for this project in line with other projects and is more or less the same or different than the other buildings in the Downtown area. Chairperson Simmons said it is different from a medical district or in the B-3 zoning district.

Vice-Chairperson Simmons said he read the narrative for the current approval having five connected buildings with each a maximum of 40 feet high and how each building elevation is designed to replicate the character of Downtown Boone. He said the 32-37 building is a primary street. He said that Water Street will be composed of local rock and brick and will include the clock tower. He said that the 32-42, 32-52 and 32-62 buildings will be composed of significant amounts of granite, local rock and brick with significantly tall commercial windows in the style of the 1900's. He said the 32-67 building will use concrete plank with exposed iron structure porch with decorative Victorian style rails. He said it might be useful to compare this approved information to the proposed plans for this proposed project.

Vice-Chairperson Simmons read about the four findings of the Planned Development process in the Unified Development Ordinance and he thought this should be a part of the discussion of this case because of the proposed deviation from the conditional district approval.

Mr. Bailey reminded the Planning Commission members that the conditional district zoning approval for this case controls this project. He said the design criteria controls unless this application specifically deviates from it. He continued to talk about the process for the possible deviations and mitigations in the proposed case.

Member McCracken asked the applicant why they want to change the project from the previous approval. Mr. Githens explained the reasons that were presented at the special public hearing. He further explained that the changes were made to help make this a better building than what was previously presented and approved.

Commission Member Templeton asked Mr. Githens to talk about the reason they moved the swimming pool and the benefit of moving it. Mr. Githens showed on a map the previous location of the pool which was near the current location of the proposed greenway and the creek. He said it was not much more than a lap pool due to the size of the area and they determined it was not in the best location. He said for a number of reasons, it was a better idea to put the pool on top of the parking deck. He talked about the elevation being 3,274 and 3,270 is above grade along Poplar Grove Road. He noted the existing grade is 3,250.

Chairperson Woolridge asked Staff for clarification about the process for making recommendations. Mr. Bailey explained the process.

Chairperson Woolridge asked if there was anyone from the public that wanted to speak on this case. There were no other speakers on this case.

Motion and Vote:

Member McCracken made a motion to close the public hearing, seconded by Commission Member Tate.

VOTE:

Aye – All

Nay- None

The motion passed.

Member McCracken talked about the change of 20 parking spaces being significant. She did not see much difference in the building height, she thought it was par with the street along Poplar Grove Road, she supported the proposed building height and said it would make it more attractive for retail space and housing space, she supported the relocation of the retail commercial space and she understood the need to possibly re-locate the dumpsters and location of the greenway. She

suggested that the Planning Commission members try to follow the previous approval and review any changes to it, when making recommendations.

Member Templeton asked Member McCracken how she felt about the change in the mix of units since she is familiar with the university housing. Vice-Chairperson Simmons noted there were five efficiencies, seven one-bedroom units, 39 two-bedroom units, three three-bedroom units and 72 four-bedroom units. Member McCracken said the efficiency or one-bedroom units are attractive to students. She questioned how attractive the three and four bedroom units would be to young professionals who might be working in the Downtown area or on campus. She said young professionals would not be interested in being in apartment complexes with the proposed mix of bedrooms.

Discussion ensued on the appropriate amount of bedrooms that work best in apartment complexes near the campus.

Member Long said that he agrees with Member McCracken's thoughts on the proposed project. He noted that this location is the lowest in elevation of any of the Downtown Boone and the property would support the proposed building height. He commended the developer on using the parapet wall to screen the mechanical equipment.

Member Templeton said that through the Planned Development process the applicant is allowed to make this a better project than previously approved. He said moving the commercial space down to Water Street makes perfect sense, he said the higher ceiling height in the commercial space makes perfect sense otherwise they are forced to build commercial space that would be unattractive to commercial tenants, therefore, he thinks this is an improvement. He liked the idea of having the elevator going to the third floor where everyone has access to it. He thinks the parapet is an improvement. He said the re-location of the pool is creating more livability space on the ground level and provides for the construction of the greenway which will benefit the whole community.

Member Templeton talked about the comments from the special public hearing for this case. He talked about the location of the project creating traffic, he said he found that comment to be counter intuitive. He said you would want your employees or students living close to the place of employment. He said he discounted that whole argument.

Member Templeton talked about the architectural style comments from the special public hearing for this case. He said he has seen the architectural style for the Downtown change over the years and he there is not an architectural style for the Downtown area. He said from his perspective, he does not see this project being a part of the B-1 zoning district architectural standards. He said the issue of noise was overstated. He said that Ms. Pam Williamson's comments on the developer not

being local and he thought that was a false argument. He said the developer had expressed his willingness to work with the Town on the appearance of the building as long as it doesn't add a burden of expense to the project.

Member Templeton talked about the clock tower and he thought it was a good proposed feature. He thought this would add to the Downtown area.

Member Myers talked about the dumpsters and their location near the Proper Restaurant. He talked about the façade of the building. He wanted the location of the dumpsters to be considerate to Proper Restaurant and the other businesses in the area. He talked about the proposed addition of the Kraut Creek cabbage scale informational area and the greenway being seen by restaurant patrons and other visitors using the greenway rather than the dumpsters.

Member Myers talked about location of the proposed project being a positive because of the walkability to the university and the Downtown area.

Member Vincent was concerned about the 16 parking spots being taken up with commercial retail and restaurant parking. He also noted that he did not see a proposed landscape plan in the information presented. He said that he does not have a concern with the hardy board building material, he just wanted to know if the applicant was open to using other building materials. He said he is not concerned with the building height.

Member Myers noted that a 3D rendering with topography would have been helpful for the Planning Commission members to review on this proposed project.

Member Tate said he supported the thoughts of the other commission members for this proposed project regarding the building height and the re-location of the pool. He has no other concerns regarding the change in the plans for this proposed project.

Member Dineen talked about the appearance of the buildings. She noted that she had heard from others in the community that they would like to see buildings that are more non-monolithic. She is concerned about a large project coming in and taking over the look that the Downtown area is trying to achieve. She did not show a concern for the building height. She believed that the proposed development would be for student housing and there is a need for this type of housing.

Member Catoe said her main concern was the proposed parking. She said the survey was taken by the students of which 40 percent of them live on campus. She said she felt that the survey was impacted by freshmen and sophomore students who naturally do not bring cars on campus. She said they have 164 parking spaces for 380 bedrooms and 21 spaces for commercial. She noted that the UDO would estimate five to twelve parking spaces per 1,000 square feet and they have two

spaces for 1,000 square feet, she doesn't think this is enough parking. She talked about the decrease in parking spots due to the two smart cars and zip car. She said that she sees a massive issue with parking in the Downtown area. She said she thinks the proposed project is going to hurt the Town more than help the Town. She talked about the building materials and she said that she did not like the cultural stone because she thinks it look cheap and it looks like it is a material that will not last ten years from now. She wanted to see more natural stone. She said she was discouraged that the proposed project is another student accommodation. She said it would be nice to see the proposed project have more single-bedroom units built into it.

Member McCracken talked about the decrease in parking spaces and compared it to the university parking.

Vice-Chairperson Simmons said the specific parking reductions were outlined in the parking demand study. He talked about the 74 percent of students having cars. He would like to know how the survey arrived at this percentage number and the population itself. He said what 74 percent of 380 beds is. He said if this calculation holds true, there could be 280 cars. Member Templeton said you cannot use just math to explain because the location needs to be considered.

Member McCracken left the meeting at 7:07 p.m.

Discussion ensued on not being able to compare the parking study in the meeting packet with a project the size of the Standard at Boone which is farther away from the proposed project which is right beside the campus. Member Long agreed that you cannot compare the parking study to the Cottages because they are farther away from the campus.

Discussion ensued on the decrease in parking and the need for parking in the Downtown area.

Chairperson Woolridge asked Member Catoe to further explain how the lack of parking being proposed with this project will make parking worse in the Downtown area. Member Catoe said she senses that students are using the metered parking incorrectly now in the Downtown area. She said when you add more students in another large development, it will clog our Downtown area and others will not have spaces to park in. Member Tate said he couldn't see a full-time resident trying to utilize a two-hour parking space. Member Tate said the idea of the project was to allow people to come to the Downtown without having a car. Member Tate said this could be seen as a positive because most people do not have to have a car from a parent's perspective.

Discussion ensued on metered parking.

Discussion ensued on the lack of visitor parking for the proposed parking on the project.

Discussion ensued on the ample parking for the commercial spaces.

Discussion ensued on the need for both residential and commercial parking spaces.

Mr. Bailey explained about what happens, if there is a change to the standards. Mr. Bailey said the applicant would have to identify the change, the standard and impacts and mitigations.

Member Templeton asked if they rent spaces in the parking deck is that considered residential or commercial. Mr. Bailey said it goes by the use. Member Templeton said he thought the surface lot should be parking for the commercial retail space. Chairperson Woolridge disagreed with Member Templeton regarding the residential spaces because Chairperson Woolridge did agreed with Member Templeton that the surface parking lot should be used by the commercial retail use and a residential could park there, if they needed to.

Discussion ensued on making a three-hour parking limit in the commercial parking lot.

Discussion ensued on the lack of long-term parking in the Downtown area.

Member Templeton said the Town talks about having a walkable community and now we are talking about more parking spaces. He said he is not that concerned for the residents because there are other options for them with alternative transportation. He said he is more concerned for having ample parking spaces for the commercial use. He said due the year-round weather being too harsh at times, there will need to be some parking spaces available for the commercial use.

Discussion ensued on a change that could make an increase in parking spaces.

Vice-Chairperson Simmons said he was concerned that there is a lot of token commercial space being built. Member Templeton talked about ways to make less token commercial space.

Member Catoe asked about the square footage inside the parking deck. Member Templeton said the square footage inside the parking deck counts as commercial square footage. He said the surface lot that is not covered and not part of the building it does not count towards commercial square footage which is a requirement in order to get the residential square footage. He noted that the ordinance is forcing the applicant into a bad design for the proposed project. Vice-Chairperson Simmons said he thought that the Planned Development process was not supposed to force the developer into anything.

Chairperson Woolridge asked the applicant if they would be open to changing their parking proposal. Mr. Githens said he would be open to that change and it is not a design change and they would be relocating 16 commercial spaces to the surface lot and the deck will solely be dedicated

for residential parking spaces. He said he wants to maintain residential spaces so there are short-term spaces for their perspective residents. He said he would be fine with this change knowing it would change their commercial calculation.

Discussion ensued on flex parking spaces for after-hours use.

Member Templeton referred to page 90 of the 2030 Boone Master Plan and talked about a rendering showing the building materials and appearance of the buildings.

Discussion ensued on the building height and the parapet.

Vice-Chairperson Simmons talked said the Boone 2030 Master Plan it is not a regulatory document but a planning document created by the Lawrence Group.

Chairperson Woolridge asked Mr. Githens if he would agree to adding ten parking spaces in the parking garage for the employees. Mr. Githens said that number seems high. Mr. Githens went over the number of employees at the complex. Mr. Githens said that five spaces sounds like a more accurate number for employees with 16 spaces dedicated to commercial and three spaces to prospective residential spaces. Mr. Githens talked more about walkability and alternative transportation being an option.

Member Vincent said a restaurant could easily take five parking spaces, if a restaurant is one of the uses. Mr. Githens said the same argument holds for residential as it does for commercial. Chairperson Woolridge talked about the architecture of the proposed project and how it could be worked out further. Mr. Bailey said that Staff would recommend that the Planning Commission make a recommendation for the applicant to work with the Town of Boone Urban Design Specialist. Mr. Bailey explained how this would be done.

Member Myers asked if the other side of the building near the creek had been rendered. Mr. Githens said no and noted what the building would be like.

Discussion ensued on the entrance of the Greenway.

Mr. Bailey noted that unless the building design is shown and deviations requested the it is subject to the appearance standards.

Member Templeton talked about the Planning Commission making recommendations that require the Community Appearance Commission review the building materials of the proposed plan.

Mr. Deal clarified that the applicant is willing to go before the Community Appearance Commission for an appearance review, if needed.

Member Catoe wanted to recommend that they consider using natural stone within the UDO guidelines.

Member Templeton wanted to recommend that they include the original clock tower in the roof design.

Member Myers wanted to recommend that the building elevation be consistent on both sides of the building.

Chairperson Woolridge began discussion on the Greenway. Mr. Deal noted that he was not for sure what the County is going to do at this time. Mr. Deal said that the applicant agreed to build the Greenway to that location, if the plan was approved.

Member Vincent asked about a proposed landscape plan. Mr. Bailey explained the UDO requirements for this type of plan.

Chairperson Woolridge talked about reviewing the West Boone Alive Plan and the Town of Boone having an old cabbage scale from the old Kraut factory, he said that there had been discussion about incorporating the cabbage scale into the re-development on this property.

Discussion ensued on building height and the relocation of the commercial space and the location of the parking deck.

Vice-Chairperson Simmons referred to the previously approved conditional district. He shared his thoughts on the building height. He said he might not have so much trouble with the proposed building height, if they did not already have a prior approval and now there are proposed changes to the project. He said he was thinking about trading off every foot of where the building goes up. He talked about re-locating the commercial space away from most of the commercial parking and accessing alongside the Poplar Grove Road to get down to the commercial retail spaces. He said he liked the gallery style that was previously approved. He said he would like for the Planning Commission to discuss it.

Member Templeton said that the commercial space will be vacant for a very long time as it was previously approved. He said this space does not have a view, it is in a curve with high speed vehicles passing by and it is not a convenient location. He said from a commercial rental standpoint locating the commercial along Water Street and Poplar Grove Road makes better sense.

Chairperson Woolridge talked about the changing of the Downtown and it doesn't have to look the way it has always looked.

Vice-Chairperson Simmons talked about his main issue with the building height. He talked about density having a connection to height. He talked about where do you want students? He talked about the various locations in the Town where student housing is. He talked about other housing solutions. He talked about density having a connection to height. He said he is concerned with housing diversity and having a mix of housing solutions in the Downtown area.

Member Templeton talked about allowing developers to exceed building height in exchange for some units designated for low income or workforce housing. He said would this project lend itself to this idea.

Member Templeton talked about creating incentives to make a project viable.

Member Long said this particular property is probably one of the most valuable properties in Downtown Boone and trying to regulate the construction costs to build housing and then to regulate the housing. He doesn't think this particular proposed project is a candidate for this idea.

Discussion ensued on regulating the rent costs.

Mr. Bailey said that the Staff has taken a look at the downtown and mixed-use and how we look at the different housing choices. He noted that the Planning Commission will be a part of the discussion this year.

Mr. Bailey said the applicant has to agree to the conditions at the Council meeting in order for them to become binding. Mr. Bailey said the Council will discuss the recommendations as well. Mr. Bailey explained the process of making a recommendation to Council.

Discussion ensued on the layout of the residential units. Mr. Bailey explained that housing that is designed with large bedrooms and small living spaces only appeals to students.

Discussion ensued on re-designing bedrooms for students and for other users.

Vice-Chairperson Simmons talked about the re-developing of the Downtown area and asked if the Planning Commission members were alright with the lack of diversity in the B-1 zoning district. He noted the recent housing study is four-years old. Mr. Bailey gave some details regarding the housing study.

Vice-Chairperson Simmons said that normally when he is preparing for the hearing cases, he reads Boone 2030 Master Plan and the 2006 Comprehensive Plan and he looks at the updates on the 2006 Comprehensive Plan. He said after he reads these associated documents, he knows what the Town's values are and what direction they want a case to go. He talked about the conflict of values of what people want in the Downtown area. He said that he agrees with the people. He talked about the 2006 Comprehensive Plan needing an update.

Vice-Chairperson Simmons asked Staff if a Downtown area plan was on their agenda. Mr. Bailey said yes and there would be discussion on Wellness District and zoning standards, mixed-use in general and parking in general and the Downtown area. These agenda items will be going on simultaneously because they all impact each other.

Chairperson Woolridge said it is not all the developer's responsibility for a proposed project, it is the result of policy that the Town puts into place.

Discussion ensued on future housing as a result of the university's growth and the growth of the Downtown area with consideration to density. Member Templeton said there is not a lot of options to handle the future growth.

Member Templeton said he thinks what the applicant is proposing is better for the community overall.

Discussion ensued on the appropriate size of the signage and the lighting of it for the proposed project. Mr. Bailey helped explained what is being proposed in the applicant's information regarding signage.

Mr. Githens asked the Staff to go to the following website www.stationatfive.com. He talked about the monument sign shown in this building. He said the size of this sign is roughly 40 square feet. He said he is proposing to replicate this sign for the Rivers Walk project.

First Motion and Vote:

Member Long made the motion, seconded by Member Tate that the proposed amendment to the Town's zoning map is consistent with the Towns comprehensive plan and other applicable plans of the Town which relate to this application because the said plan development is a higher overall quality development than the previously approved conditional district development because the increase in building height makes it a more viable project and allows elevator service to all residents and has less construction impact on Kraut creek, has better storm water management design and proper rooftop screening for mechanical equipment. The commercial space is more attractive and flexible in size and is in a more concentrated location bordering Water Street. It is more likely to be successful as commercial space than the previous commercial space plan. The

applicant's willingness to construct the Greenway along the property and Kraut Creek will be a benefit to all the residents of Boone and those visiting the Downtown area. The redistribution of commercial parking to the surface lot allows for more convenient parking for the commercial retail space. In regards to architecture, the applicant is willing to work with the Community Appearance Commission which will result in an architectural design that is harmonious with the Downtown area and based on more community consensus.

Vote:

Aye – 8 (Catoe, Dineen, Myers, Long, Tate, Templeton, Vincent, Woolridge)
Nay – 1 (Simmons)

The motion passed.

Second Motion and Vote:

Chairperson Woolridge made a motion, seconded by Member Long that the Planning Commission recommend approval based on the previously approved plan and the proposed plan because it will create a higher quality development and assure a cohesive design in the Downtown area and the surrounding properties for the following reasons which include the five Staff recommendations:

1. Where there is a conflict between the application information and the plans (site plans bearing a received date of March 25th and architectural plans bearing a received date of March 28, 2016), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. The Town of Boone will be given the necessary easements for public sidewalks which leave existing street right-of-way.
5. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
6. The surface lot in the plan be used for non-employee commercial parking and a minimum of five parking spaces inside the parking deck be dedicated towards commercial parking.
7. The applicant will work with the Community Appearance Commission to develop the final appearance for the building based on the current B-1 zoning standards.
8. The applicant agreed to re-incorporate the clock tower into the building design.
9. The applicant agreed to construct a paved eight-foot wide Greenway to the counties property line.
10. The applicant is committed to "Greenway Connection to Howard Street drawing" submitted to the Planning Commission on April 11, 2016.

Vote:

Aye – 8 (Catoe, Dineen, Myers, Long, Tate, Templeton, Vincent, Woolridge)

Nay – 1 (Simmons)

The motion passed.

Vice-Chairperson Simmons talked about his concerns for this proposed project. He said his reservations for the proposed project have to do with the building height in the context of the B-1 zoning district. He talked about the building height in the B-1 zoning compared to the previous approval for building height based on the variance that was granted. He voiced his other concerns regarding the parking reductions, lack of diversity in the housing configuration from the previous approval to the current proposal of around 60 percent of the project going to four bedrooms to a unit. He said this is a concern for him, when he thinks about developing the infill projects around Town. He said there are many improvements in the proposed project that are very appealing to him such as the greenway. He said he would rely on the Community Appearance Commission to review the Downtown B-1 architectural standards for the proposed project.

Vice-Chairperson Simmons referred to page eight of the Town's 2006 Comprehensive Plan and he read the section regarding the Downtown area. He also pointed out in the Downtown section of the 2006 Comprehensive Plan that this plan and the 2030 Master Plan are the controlling documents. He said that it will be up to Council to decide if it is a fair trade off between the conditional district approval and the proposed Planned Development plan for this project.

OTHER MATTERS BY BOARD MEMBERS OR STAFF

There were no other matters discussed at this meeting.

ADJOURNMENT

Member Tate made a motion to adjourn the meeting at 9:15 p.m., seconded by Member Vincent.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson, Eric Woolridge

Board Secretary, Marlene Crosby

From: Jeff Githens <jgithens@peakcampus.com>
To: Jim Deal <jdeal@dealmoseley.com>, 'Bill Bailey' <Bill.Bailey@townofboone.net>, 'Jane Shook' <Jane.Shook@townofboone.net>, 'John Ward' <John.Ward@townofboone.net>
CC: Glenn Weaver <glenn.weaver@apllc.co>, "tdeal@dealmoseley.com" <tdeal@dealmoseley.com>
Date: 5/9/2016 9:24 AM
Subject: RE: River's Walk Hearing Questions
Attachments: App State - SHProperties-monthly-Apr-16.xlsx

Town of Boone
 Planning & Inspections

Date Received
May 9, 2016

To echo Jim's comments, attached is a third party survey of current occupancy at existing properties in Boone. Almost all are 100% occupied with the exception of the Cottages of Boone. Thus, it is a misconception to say that 3 and 4 bedroom units do not rent well. We will respond to the other questions below in a separate response.
 Thanks

Jeff Githens | President, Development
 Peak Campus | PeakCampus.com<http://www.peakcampus.com>
 O: 404.920.5361 | C: 404.964.3677 | F: 404.920.5461

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From: Jim Deal [mailto:jdeal@dealmoseley.com]
 Sent: Monday, May 9, 2016 9:00 AM
 To: 'Bill Bailey' <Bill.Bailey@townofboone.net>; 'Jane Shook' <Jane.Shook@townofboone.net>; 'John Ward' <John.Ward@townofboone.net>
 Cc: Jeff Githens <jgithens@peakcampus.com>; Glenn Weaver <glenn.weaver@apllc.co>; tdeal@dealmoseley.com
 Subject: RE: River's Walk Hearing Questions

Bill,

Thank you for the list of questions. I can address some of the issues about 3 and 4 bedroom apartments and rent by the bedroom. I represent many apartment owners in Boone and they have never had 3 and 4 bedroom apartments not renting. I personally own an interest in a primarily 4 bedroom project and they have never had a vacancy in over 25 years. Like Rivers Walk they are in walking distance of the campus. All of these projects are completely rented for next year. I am not sure where your information is coming from, but I can assure you that it is not accurate on projects within walking distance of campus. They rent very well. In fact they stay fully rented. I can provide you exact numbers. I believe that the information you have relates to the Cottages which is very different from a project located next to campus.

Projects have been renting either to a full unit of students or renting by the bedroom for well over 30 years in Boone. I also don't understand why this would be a bad thing. Often times students make new friends who they would never have met without renting with them. It also saves them the trouble of trying to find a group of roommates in some cases to be in a location where they want to live.

The developers will provide information regarding the other questions that they can address. Some of the issues raised appear to me to be a change in development philosophy in downtown Boone. This change in philosophy does not coincide with the present UDO or the 2030 plan. It is very difficult for a developer to know the rules in these situations. We look forward to having an exchange with the Council to work toward a better project than the one that is currently approved.

Jim

James M. Deal Jr.
 Deal, Moseley, & Smith, LLP
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Communication: Supplemental Exhibit 3: Communication Regarding Third Party Survey (Rivers Walk New/Revised Supplemental Information)

promoting, marketing or recommending to another party any plan or arrangement addressed herein.

From: Bill Bailey [mailto:Bill.Bailey@townofboone.net]
 Sent: Friday, May 06, 2016 4:12 PM
 To: Jr. James M. Deal; Jane Shook; John Ward
 Subject: River's Walk Hearing Questions

These are the questions raised by the Council during the April meeting. The Council is expecting the applicant to have answers to these questions at their May meeting.

- 1) Connect the trail back to the sidewalk on Poplar Grove
- 2) Change in BD type from possible multi-tenant type to all student housing type
- 3) change to 3 & 4 bd when they do not rent well
- 4) lack of parking for residents without real justification
- 5) Reduction of parking from current approval to this proposal is unjustified
- 6) Poplar Grove facade needs to be broken up to appear like many buildings rather than one long wall
- 7) where is the clock tower feature?
- 8) Need a better lighting plan - concerns for safety
- 9) Sacrifice pool for more parking?
- 10) Control deliveries and road/lane closures to minimize traffic impacts
- 11) reassess bedroom mix
- 12) design needs to be more fitting with downtown
- 13) height still a concern - ways to minimize?
- 14) concerns about rent-by-the-bed
- 15) minimize impacts to historic building adjacent to site
- 16) Reopen hearing at Council May 19 meeting

Bill Bailey, CPM, CZO
 Director
 Planning & Inspections Department
 680 W. King St., Suite C
 Boone, NC 28607
 (828)268-6960

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Town of Boone
Planning & Inspections

Date Received
May 9, 2016

Property Name	Period	Occupancy	Total Beds	Total Units	Year Built	Distance to Campus	Address	City	ST	Zip	Property Status	Property Type	Building Levels	Manager
494 Lofts	Apr-16	100%	29	25	2014	0.0	494 W Kings St	Boone	NC	28607	Stabilized	Student Housing	3	The Winkler Organization
Amberleigh Way	Apr-16	100%	41	21	1985	0.9	147 Ivy Dr	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Appalachian Manor	Apr-16	100%	64	16	2009	0.0	287 Hardin St	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Boone Hall Apartments	Apr-16	100%	40	10	2009	0.1	138 S Water St	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Campus Pointe	Apr-16	100%	45	15	1985	0.0	120 Faculty St	Boone	NC	28607	Stabilized	Student Housing	3	
Cardinal Apartments I	Apr-16	100%	59	15	1997	1.6	2224 Blowing Rock Rd	Boone	NC	28607	Stabilized	Student Housing	3	The Winkler Organization
Cardinal Apartments II	Apr-16	100%	8	8	1997	1.6	2224 Blowing Rock Rd	Boone	NC	28607	Stabilized	Student Housing	1	The Winkler Organization
Cottages of Boone	Apr-16	89%	894	202	2013	0.7	615 Fallview Lane	Boone	NC	28607	Stabilized	Student Housing	2	Capstone Collegiate Communities
East Village Apartments	Apr-16	100%	72	18	2005	1.1	199 Boone Heights Dr	Boone	NC	28607	Stabilized	Student Housing	3	The Winkler Organization
Forrest Edge Townhomes	Apr-16	100%	84	21	2011	0.4	154 Tulip Tree Ln	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Highland Crossing	Apr-16	100%	204	68	2013	1.1	100 Crossing Lane	Boone	NC	28607	Stabilized	Student Housing	4	Kuester Development Group
Holmes View Manor	Apr-16	100%	44	11	2010	0.5	185 Faculty St	Boone	NC	28607	Stabilized	Student Housing	3	The Winkler Organization
Mountaineer Village I-III	Apr-16	100%	576	192	2004	1.7	517 Yosef Dr	Boone	NC	28607	Stabilized	Student Housing	3	10 Federal Finance
Ridgeview Townhomes	Apr-16	100%	12	4	2003	0.7	190 Ridge View Dr	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Steeplechase on Hardin	Apr-16	100%	40	10	1992	0.0	311 Hardin St	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Steeplechase on Howard Street	Apr-16	100%	40	10	1992	0.0	784 Howard St	Boone	NC	28607	Stabilized	Student Housing	3	The Winkler Organization
Steeplechase on Pine	Apr-16	100%	16	4	1993	0.0	143 Pine St	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Steeplechase on Straight Street	Apr-16	100%	42	12	1996	0.3	135 Straight St	Boone	NC	28607	Stabilized	Student Housing	1	The Winkler Organization
Steeplechase on Wood Circle	Apr-16	100%	134	36	1995	0.4	190 Wood Cir	Boone	NC	28607	Stabilized	Student Housing	3	The Winkler Organization
Studio West	Apr-16	99%	120	120	1975	0.5	125 Graduate Lane	Boone	NC	28607	Stabilized	Student Housing	3	10 Federal Finance
University Highlands	Apr-16	100%	768	240	2000	0.5	289 Ambling Way	Boone	NC	28607	Stabilized	Student Housing	3	Privately Managed
Village of Meadowview	Apr-16	100%	506	204	2006	1.4	304 Madison Ave	Boone	NC	28607	Stabilized	Student Housing	3	10 Federal Finance
Vineyard Apartments Townhomes	Apr-16	100%	84	24	1989	0.4	575 Queen St	Boone	NC	28607	Stabilized	Student Housing	1	The Winkler Organization
Wilcox Warehouse Lofts	Apr-16	100%	63	25	2008	0.1	151 Howard St	Boone	NC	28607	Stabilized	Student Housing	2	The Winkler Organization
Winkler Adams Apartments	Apr-16	100%	30	15	1988	0.0	201 Brown St	Boone	NC	28607	Stabilized	Student Housing	3	The Winkler Organization

Communication: Supplemental Exhibit 4: Rivers Walk Third PartySurvey Information (Rivers Walk New/Revised Supplemental Information)



Town of Boone
Planning & Inspections

Date Received
May 23, 2016

PRELIMINARY
FOR REGULATORY REVIEW ONLY

STORMWATER MANAGEMENT

<u>SITE IS ZONED B-1 (CENTRAL BUSINESS DISTRICT)</u>		
		<u>PROVIDED:</u>
LOT AREA	=	119,663 FT ²
LOT WIDTH (WATER ST.)	=	204 FT
FLOOR AREA	=	N/A
OPEN SPACE	=	N/A
LIVABILITY SPACE	=	N/A
RECREATION SPACE	=	N/A
BUILDING HEIGHT	=	44'-4 ³ / ₄ " TO 48'- ³ / ₄ " FT
BUILDING FOOTPRINT	=	57,928 FT (48% OF GROSS LOT AREA)
TOTAL COMMERCIAL AREA	=	20,756 FT ²

EXISTING IMPERVIOUS SURFACE AREA = 83,195 FT²
 PROPOSED IMPERVIOUS SURFACE AREA = 81,909 FT²
 THEREFORE, NO STORMWATER DETENTION IS REQUIRED.

AUTOMOBILE PARKING REQUIREMENTS

MIXED-USE MULTI-FAMILY RESIDENTIAL:

- 5 STUDIO UNITS & ONE BEDROOM UNITS
- 53 TWO BEDROOM UNITS
- 3 THREE BEDROOM UNITS
- 65 FOUR BEDROOM UNITS

MAXIMUM PARKING SPACE REQUIREMENTS

STUDIO & 1 BEDROOM UNITS:	1 PARKING SPACE / UNIT	X	5 UNITS	=	5 SPACES
2 BEDROOM UNITS:	2 PARKING SPACES / UNIT	X	53 UNITS	=	106 SPACES
3 & 4 BEDROOM UNITS:	3 PARKING SPACES / UNIT	X	68 UNITS	=	204 SPACES

MAXIMUM RESIDENTIAL AUTOMOBILE PARKING SPACES: = 315 SPACES

COMMERCIAL RETAIL:

COMMERCIAL RETAIL SPACE: 10,266 FT²
MAXIMUM SPACE REQUIREMENT: 5 SPACES / 1,000 FT² OF RETAIL SPACE

MAXIMUM COMMERCIAL AUTOMOBILE PARKING SPACES: = 51 SPACES

TOTAL MAXIMUM AUTOMOBILE PARKING SPACES ALLOWED: = 366 SPACES

AUTOMOBILE PARKING SPACES PROVIDED:

PARKING DECK = 147
SURFACE PARKING LOT = 19

TOTAL SPACES PROVIDED = 166

MOTORCYCLE PARKING REQUIREMENTS

TOTAL NUMBER OF AUTOMOBILE PARKING SPACES: = 166 SPACES
MOTORCYCLE PARKING SPACE REQUIREMENT: 1 SPACE / 40 AUTOMOBILE PARKING SPACES

MINIMUM NUMBER OF MOTORCYCLE PARKING SPACES REQUIRED: = 4 SPACES
PROVIDED MOTORCYCLE PARKING SPACES: = 6 SPACES

ALL MOTORCYCLE SPACES WILL BE LOCATED IN THE PARKING STRUCTURE OR IN THE SURFACE LOT

BICYCLE PARKING REQUIREMENTS

SHORT TERM BICYCLE SPACES

TOTAL NUMBER OF RESIDENTIAL UNITS: = 126 UNITS
RESIDENTIAL SHORT TERM BICYCLE SPACE REQUIREMENT: 1 SPACE / 20 UNITS
MINIMUM NUMBER OF SHORT TERM BICYCLE SPACES REQUIRED FOR RESIDENTIAL: = 6 SPACES

TOTAL COMMERCIAL GROSS FLOOR AREA: = 10,266 FT²
COMMERCIAL SHORT TERM BICYCLE SPACE REQUIREMENT: 1 SPACE / 5,000 FT² GROSS FLOOR AREA
MINIMUM NUMBER OF SHORT TERM BICYCLE SPACES REQUIRED FOR COMMERCIAL: = 2 SPACES

MINIMUM NUMBER OF SHORT TERM BICYCLE SPACES REQUIRED: = 8 SPACES
PROVIDED SHORT TERM BICYCLE SPACES: = 14 SPACES

LONG TERM BICYCLE SPACES

TOTAL NUMBER OF RESIDENTIAL UNITS: = 126 UNITS
RESIDENTIAL LONG TERM BICYCLE SPACE REQUIREMENT: 1 SPACE / 4 UNITS
MINIMUM NUMBER OF LONG TERM BICYCLE SPACES REQUIRED FOR RESIDENTIAL: = 32 SPACES

TOTAL COMMERCIAL GROSS FLOOR AREA: = 10,266 FT²
COMMERCIAL LONG TERM BICYCLE SPACE REQUIREMENT: 1 SPACE / 12,000 FT² GROSS FLOOR AREA
MINIMUM NUMBER OF LONG TERM BICYCLE SPACES REQUIRED FOR COMMERCIAL: = 1 SPACES

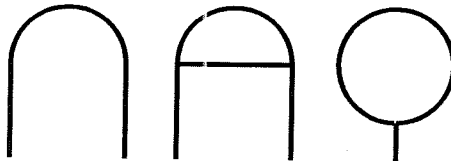
MINIMUM NUMBER OF LONG TERM BICYCLE SPACES REQUIRED: = 33 SPACES
PROVIDED LONG TERM BICYCLE SPACES: = 50 SPACES

SHORT TERM BICYCLE RACKS WILL BE LOCATED OUTSIDE IN FRONT AND AND IN REAR OF THE BUILDING
ALL LONG TERM BICYCLE SPACES WILL BE PROVIDED IN COVERED AREAS OF THE PARKING DECK.

BICYCLE PARKING NOTES

ALL BICYCLE PARKING FACILITIES SHALL MEET THE REQUIREMENTS OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE. IN PARTICULAR, BICYCLE PARKING FACILITIES SHALL BE CONSTRUCTED OF MATERIALS OF SUFFICIENT STRENGTH TO SIGNIFICANTLY RESIST THEIR DISPLACEMENT OR REMOVAL, AND THEY SHALL BE SECURELY ANCHORED IN CONCRETE OR OTHER EQUIVALENT MATERIAL OR SYSTEM OF SUFFICIENT STRENGTH TO SIGNIFICANTLY RESIST REMOVAL. BICYCLE PARKING FACILITIES SHALL SUPPORT BICYCLES IN A STABLE POSITION WITHOUT DAMAGE TO WHEELS, FRAME OR OTHER COMPONENTS AND ALLOW FOR THE USE OF EITHER A CABLE, U-SHAPED, OR SIMILAR LOCK TO SECURE BOTH WHEELS OF THE BICYCLE. NO LESS THAN 4" SHALL BE PROVIDED BETWEEN PARALLEL RACKS.

EXAMPLES OF ACCEPTABLE FACILITIES:



SEWER MAIN & SERVICE NOTES:

- CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION.
- NEW SANITARY SEWER MAINS SHALL BE 12" CLASS 350 DUCTILE IRON PIPE UNLESS SPECIFIED OTHERWISE.
- ALL SANITARY SEWER SERVICES SHALL BE 6" SCH 40 PVC, CONSTRUCTED ACCORDING TO NC BUILDING CODE. PLACE 2-DIRECTIONAL CLEANOUTS ON S.S. SERVICE WITHIN 10' OF BUILDING.
- PLUMBING ENGINEER SHALL CONFIRM SIZE, MATERIAL, AND LOCATION OF ALL SEWER SERVICES.
- SANITARY SEWER MAIN SHALL BE BEDDED IN STONE IN POOR SOIL CONDITIONS AND AT DEPTHS GREATER THAN 10' OR AS DIRECTED BY ENGINEER.
- RIM ELEVATIONS MAY VARY AFTER GRADING IS COMPLETED. MATCH RIM ELEVATIONS TO FINISHED GRADE.
- SANITARY SEWER MANHOLES WITH UPSTREAM PIPE GRADES ABOVE 8% SHALL BE CONSIDERED "HIGH VELOCITY" MANHOLES. INVERTS SHALL BE COATED WITH 4 MILS OF ABRASION RESISTANT EPOXY RESIN. SEE DETAIL ON DETAIL SHEET.
- THE CONTRACTOR/PROPERTY OWNER IS RESPONSIBLE FOR ANY DAMAGE TO THE SEWER MAINS IN THE CONSTRUCTION AREA UNTIL CONSTRUCTION IS COMPLETE.
- ALL NEW SEWER MAINS LOCATED OUTSIDE THE TOWN OF BOONE'S ROAD RIGHT-OF-WAY SHALL HAVE A 25' EASEMENT DEDICATED TO THE TOWN OF BOONE. THE EASEMENT SHALL BE GENERALLY CENTERED ON THE NEW SEWER MAIN, HOWEVER IT MAY BE OFFSET TO AVOID EXISTING STRUCTURES.

FIRE PROTECTION NOTES:

- CONTRACTOR IS RESPONSIBLE FOR CONFIRMING LOCATION, SIZE & TYPE OF ALL EXISTING PIPES AT TIE-IN POINTS, PRIOR TO ORDERING NEW PIPE OR FITTINGS.
- SPRINKLER CONTRACTOR SHALL NOT CALCULATE FOR SPRINKLER SUBMITTAL ABOVE 90% AVAILABLE WATER. NO VALVE PITS OR BUILDING ENTRY FOR SHUT OFF. PROVIDE KNOX BOX SECURITY SYSTEM FOR FIRE DEPARTMENT ENTRY. COORDINATE LOCATION OF KNOX BOX, FDCs AND PIVs WITH FIRE MARSHALL.
- SPRINKLER CONTRACTOR SHALL CONFIRM SIZE, MATERIAL, AND LOCATION OF ALL FIRE AND FDC LINES.
- RPZ DETECTORS SHALL BE LOCATED ON THE FIRE LINE IN EACH OF THE SPRINKLER ROOMS OR OUTSIDE IN A HOT BOX. A DRAIN MUST BE INSTALLED TO HANDLE CATASTROPHIC FAILURE OF THE RELIEF VALVES AND OUTLET TO THE ATMOSPHERE IF INSTALLED IN SPRINKLER ROOMS. SPRINKLER CONTRACTOR TO PROVIDE MIKE TRIVETT, TOWN OF BOONE'S BACK FLOW PREVENTION COORDINATOR, WITH SPECIFICATIONS FOR RPZ DETECTOR AND CALCULATIONS FOR DRAIN.
- FIRE DEPARTMENT CONNECTIONS (FDCs) SHALL BE LOCATED A MAXIMUM OF 100' FROM FIRE HYDRANTS. FDCs SHALL BE PROPERLY MARKED.
- STANDPIPES SHALL BE ARE REQUIRED DUE TO BUILDING ELEVATIONS. THEY SHALL BE A DRY TYPE SYSTEMS WITH CONNECTIONS LOCATED ON THE INTERVENING STAIR LANDINGS. THE CONNECTIONS SHALL BE LOCATED AT THE SAME LOCATION AS THE FDCs. WALL MOUNTED OR FREE STANDING PIVs ARE APPROVED TYPES.
- THE MAIN STRUCTURE ADDRESS NUMBER HEIGHT SHALL BE 8" OF CONTRASTING COLOR TO THE BUILDING WITH THE LOCATION TO BE DETERMINED BY THE BOONE FIRE DEPARTMENT. UNIT NUMBERS SHALL BE SUBMITTED TO THE TOWN GIS DEPARTMENT FOR APPROVAL. ADDITIONAL REQUIREMENTS ARE POSSIBLE UPON REVIEW OF BUILDING PLANS.
- DRY STANDPIPE CONNECTION SHALL BE LOCATED NEXT TO FDC.

WATER MAIN & SERVICE NOTES:

- ALL UNDERGROUND UTILITIES SHALL BE FIELD LOCATED BY CONTRACTOR PRIOR TO EXCAVATION.
- CONTRACTOR IS RESPONSIBLE FOR CONFIRMING LOCATION, SIZE & TYPE OF ALL EXISTING PIPES AT TIE-IN POINTS, PRIOR TO ORDERING NEW PIPE OR FITTINGS.
- ANY NEW WATER MAINS SHALL BE CLASS 350 DUCTILE IRON OR C-900 PVC PIPE.
- ALL WATER SERVICE LINES SHALL BE SDR 13.5 PVC UNLESS OTHERWISE SPECIFIED.
- ALL WATER MAINS AND SERVICES SHALL HAVE A MINIMUM 3' COVER UNLESS SPECIFIED OTHERWISE.
- ALL VALVES SHALL BE RESILIENT-SEAT DUCTILE IRON GATE VALVES.
- COORDINATE LOCATION OF ALL NEW TAPS & METERS WITH TOWN OF BOONE UTILITY DEPARTMENT (828-268-6250).
- CONCRETE THRUST BLOCKING SHALL BE PROVIDED AT ALL BENDS AND FITTINGS FOR MAINS AND SERVICES OVER 4" IN DIAMETER.
- ALL BENDS AND TEES SHALL BE RESTRAINED JOINT AND HAVE THRUST BLOCKING. SEE DETAIL SHEET FOR SCHEDULE OF THRUST BLOCKING.
- ALL HYDRANTS MUST BE KENNEDY K-81 HYDRANTS OR APPROVED EQUAL. COORDINATE WITH TOWN OF BOONE UTILITY DEPARTMENT.
- HYDRANT LOCATORS SHALL BE ADDED TO ALL FIRE HYDRANTS IN THE PROJECT AREA FOR IDENTIFICATION DURING INCLEMENT WEATHER.
- PLUMBING ENGINEER SHALL CONFIRM SIZE, MATERIAL, AND LOCATION OF ALL WATER SERVICES. SPRINKLER CONTRACTOR SHALL CONFIRM SIZE, MATERIAL, AND LOCATION OF ALL FIRE AND FDC LINES.
- PLUMBING CONTRACTOR & SPRINKLER CONTRACTOR SHALL COORDINATE WITH MIKE TRIVETT AT TOWN OF BOONE UTILITY DEPARTMENT REGARDING BACKFLOW PREVENTION REQUIREMENT PRIOR TO CONSTRUCTION (828-268-6250).
- THE CONTRACTOR/PROPERTY OWNER IS RESPONSIBLE FOR ANY DAMAGE TO THE WATER MAINS IN THE CONSTRUCTION AREA UNTIL CONSTRUCTION IS COMPLETE.

WATER METER NOTES:

- WATER METERS MAY BE LOCATED INSIDE THE BUILDING IN METER ROOMS. IF INSIDE, THE METERS SHALL BE SENSUS RADIO READ OR APPROVED EQUAL WITH DUEL CHECK SETTERS OR DUEL CHECK VALVES.
- WATER METERS MAY BE LOCATE OUTSIDE THE BUILDING IN INDIVIDUAL METER BOXES. OUTSIDE METERS SHALL BE SENSUS TOUCH READ OR APPROVED EQUAL WITH DUAL CHECK SETTERS.
- COORDINATE TAPS AND METERS WITH TOWN OF BOONE UTILITY DEPARTMENT (828-268-6250).

BACKFLOW PREVENTION NOTES:

- RPZ DETECTORS ARE REQUIRED FOR EACH FIRE LINE INTO THE BUILDING. RPZ DETECTORS MAY BE LOCATED IN A SPRINKLER ROOM INSIDE THE GARAGE OR IN AN ABOVE GROUND HOT BOX OUTSIDE THE BUILDING.
- A REDUCED PRESSURE PRINCIPAL ASSEMBLY (RP) IS REQUIRED ON ALL DOMESTIC WATER SERVICE LINES ENTERING THE BUILDING IF DOMESTIC METERS ARE LOCATED INSIDE THE BUILDING. IN ADDITION, ALL COMMERCIAL USES IN THE US HWY 321 BUILDING SHALL HAVE RPs ON THEIR INDIVIDUAL SERVICE LINES. THESE RPs MAY BE LOCATED IN BACKFLOW ROOMS IN THE PARKING GARAGE.
- ALL RPZ DETECTORS AND RPs LOCATED IN SPRINKLER OR BACKFLOW ROOMS SHALL HAVE A DRAIN INSTALLED TO HANDLE CATASTROPHIC FAILURE OF THE RELIEF VALVES AND OUTLET TO THE ATMOSPHERE.
- SPRINKLER CONTRACTOR AND PLUMBING ENGINEER SHALL PROVIDE MIKE TRIVETT, TOWN OF BOONE'S BACK FLOW PREVENTION COORDINATOR, WITH SPECIFICATIONS FOR RPZ DETECTOR AND RPs ALONG WITH CALCULATIONS FOR DRAIN.

GENERAL NOTES:

- SITE IS CURRENTLY ZONED B-1.
- PROPOSED PROPERTY AREA = 2.747 ACRES.
- UPON APPROVAL PROPERTIES WILL BE RECOMBINED INTO ONE TRACT.
- PRIOR TO ANY EXCAVATION, CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES. CALL 1-800-632-4949.
- ALL UTILITIES SHALL BE UNDERGROUND.
- CONTACT NEW RIVER LIGHT & POWER FOR LOCATION OF POWER (828-264-3671).
- CONTACT AT&T FOR PHONE SERVICE (828-262-4908).
- CONTACT CHARTER COMMUNICATIONS FOR CABLE SERVICE (828-733-1510).
- ALL SIDEWALKS WITHIN THE TOWN OF BOONE RIGHT OF WAY SHALL CONFORM TO ALL REQUIREMENTS OF SECTION 23.08 OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE.
- 24" CONCRETE CURB & GUTTER (NC DOT STD. 846.01) SHALL BE USED AS SHOWN ON PLAN. 30" CURB & GUTTER SHALL BE USED IN THE RIGHT-OF-WAY.
- PARKING SPACE DIMENSIONS ARE TO FACE OF CURB (TYP). RADII ARE TO BACK OF CURB (TYP).
- THE CONTRACTOR/PROPERTY OWNER IS RESPONSIBLE FOR ANY DAMAGE TO THE WATER & SEWER MAINS IN THE CONSTRUCTION AREA UNTIL CONSTRUCTION IS COMPLETE.
- ALL ROOFTOP EQUIPMENT SHALL BE SCREENED OR OTHERWISE PLACED OUT OF VIEW FROM ADJACENT STREETS.
- ALL UTILITIES INCLUDING BUT NOT LIMITED TO HVAC UNITS AND METERS SHALL BE SCREENED FROM ADJACENT PROPERTIES AND PUBLIC STREETS PER SECTION 25.02 OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE.
- HANDICAP SPACES SHALL BE MARKED BOTH ON PAVEMENT & WITH SIGNS IN COMPLIANCE WITH THE LATEST EDITION OF THE NORTH CAROLINA ACCESSIBILITY CODE.
- COMPACT AUTOMOBILE AND MOTORCYCLE SPACES SHALL BE MARKED ON PAVEMENT ONLY.
- MOTORCYCLE AND SCOOTER SPACES SHALL HAVE MINIMUM DIMENSIONS OF 4'x8' AND PROVIDED WITH A FIXED FEATURE FOR SECURING THE MOTORCYCLES AND SCOOTERS. IN ADDITION, SPACES SHALL CONFORM TO ALL OTHER REQUIREMENTS OF SECTION 24.10 OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE.
- LONG TERM AND SHORT TERM BICYCLE RACKS AND SPACES SHALL CONFORM TO ALL REQUIREMENTS OF SECTION 24.09 OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE.
- ALL RECOMMENDATIONS SPECIFIED IN THE TRANSPORTATION IMPACT ANALYSIS PREPARED BY DAVENPORT ENGINEERING SHALL BE FOLLOWED.

SIGNAGE NOTES:

- ALL SIGNAGE SHALL BE PERMITTED SEPARATELY.

LIGHTING NOTES:

- ALL SITE LIGHTING SHALL CONFORM TO THE STANDARDS IN SECTION 25.05 OF THE TOWN'S UDO.
- ALL PARKING DECK LIGHTING SHALL CONFORM TO IESNA STANDARDS.

VARIANCES PREVIOUSLY GRANTED TO THE PROJECT:

THE FOLLOWING VARIANCES WERE GRANTED BY THE TOWN OF BOONE'S BOARD OF ADJUSTMENT ON NOVEMBER 6, 2014:

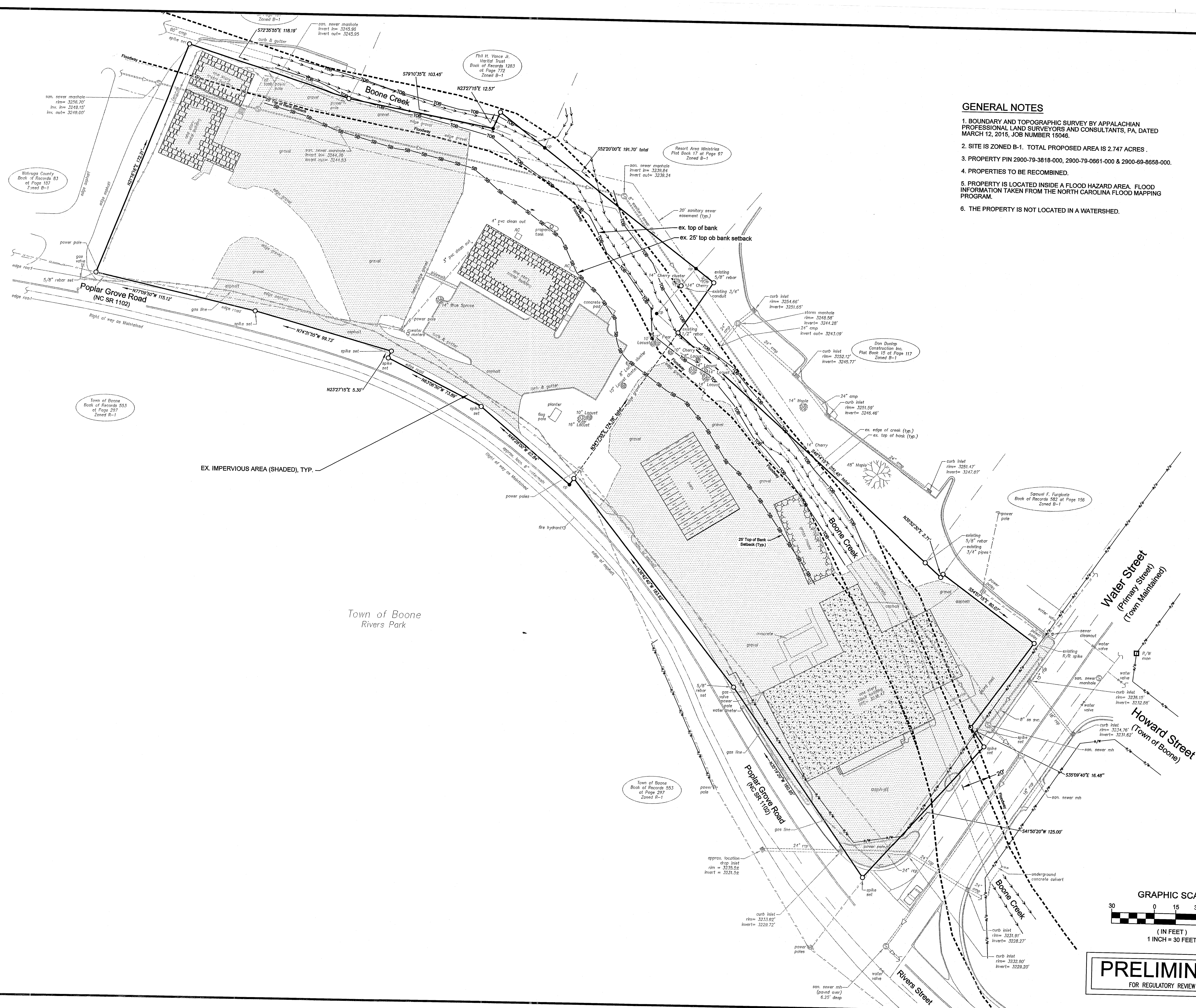
- VARIANCE FROM UDO SUBSECTION 15.11.02 (J) TO REDUCE THE MINIMUM BUILDING FOOTPRINT FROM 50% TO 40% OF THE TOTAL GROSS LAND AREA OF THE LOT.
- VARIANCE FROM UDO SUBSECTION 16.08.05 TO ALLOW THE BUILDING TO EXCEED 35' IN HEIGHT WHEN THE BUILDING IS WITHIN 100' OF AN R-1 ZONED PROPERTY.

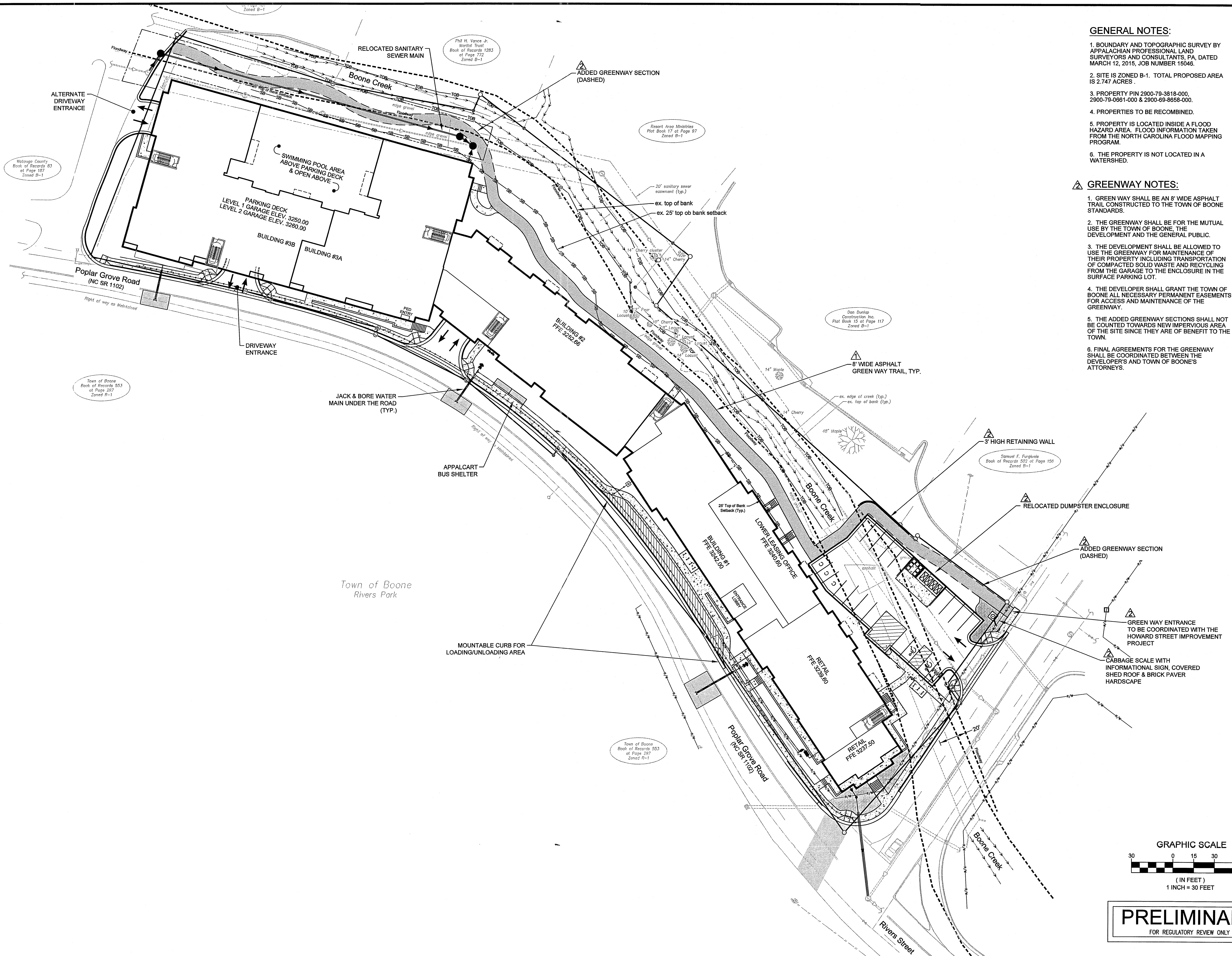
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RIVERS WALK
MCKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

REVISIONS TO PARKING CALCULATIONS		DESCRIPTION	
DATE	BY	REV.	
5-23-16	AJC		
PROJECT NOTES			
SCALE: AS SHOWN			
DATE: 2-25-16			
DRWN. BY: EGT			
CHKD. BY: AJC			
PROJECT NUMBER			
B13057.3			
DRAWING NO.		SHEET NO.	
C-2			



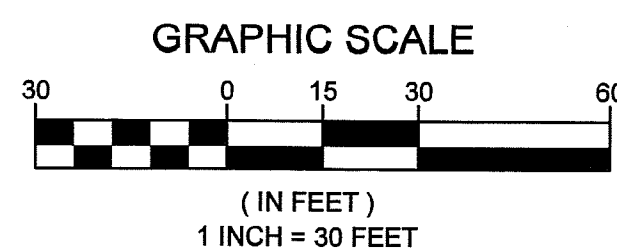


GENERAL NOTES:

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY APPALACHIAN PROFESSIONAL LAND SURVEYORS AND CONSULTANTS, PA, DATED MARCH 12, 2015, JOB NUMBER 15046.
2. SITE IS ZONED B-1. TOTAL PROPOSED AREA IS 2.747 ACRES.
3. PROPERTY PIN 2900-79-3818-000, 2900-79-0661-000 & 2900-69-8658-000.
4. PROPERTIES TO BE RECOMBINED.
5. PROPERTY IS LOCATED INSIDE A FLOOD HAZARD AREA. FLOOD INFORMATION TAKEN FROM THE NORTH CAROLINA FLOOD MAPPING PROGRAM.
6. THE PROPERTY IS NOT LOCATED IN A WATERSHED.

GREENWAY NOTES:

1. GREEN WAY SHALL BE AN 8' WIDE ASPHALT TRAIL CONSTRUCTED TO THE TOWN OF BOONE STANDARDS.
2. THE GREENWAY SHALL BE FOR THE MUTUAL USE BY THE TOWN OF BOONE, THE DEVELOPMENT AND THE GENERAL PUBLIC.
3. THE DEVELOPMENT SHALL BE ALLOWED TO USE THE GREENWAY FOR MAINTENANCE OF THEIR PROPERTY INCLUDING TRANSPORTATION OF COMPACTED SOLID WASTE AND RECYCLING FROM THE GARAGE TO THE ENCLOSURE IN THE SURFACE PARKING LOT.
4. THE DEVELOPER SHALL GRANT THE TOWN OF BOONE ALL NECESSARY PERMANENT EASEMENTS FOR ACCESS AND MAINTENANCE OF THE GREENWAY.
5. THE ADDED GREENWAY SECTIONS SHALL NOT BE COUNTED TOWARDS NEW IMPERVIOUS AREA OF THE SITE SINCE THEY ARE OF BENEFIT TO THE TOWN.
6. FINAL AGREEMENTS FOR THE GREENWAY SHALL BE COORDINATED BETWEEN THE DEVELOPER'S AND TOWN OF BOONE'S ATTORNEYS.



PRELIMINARY

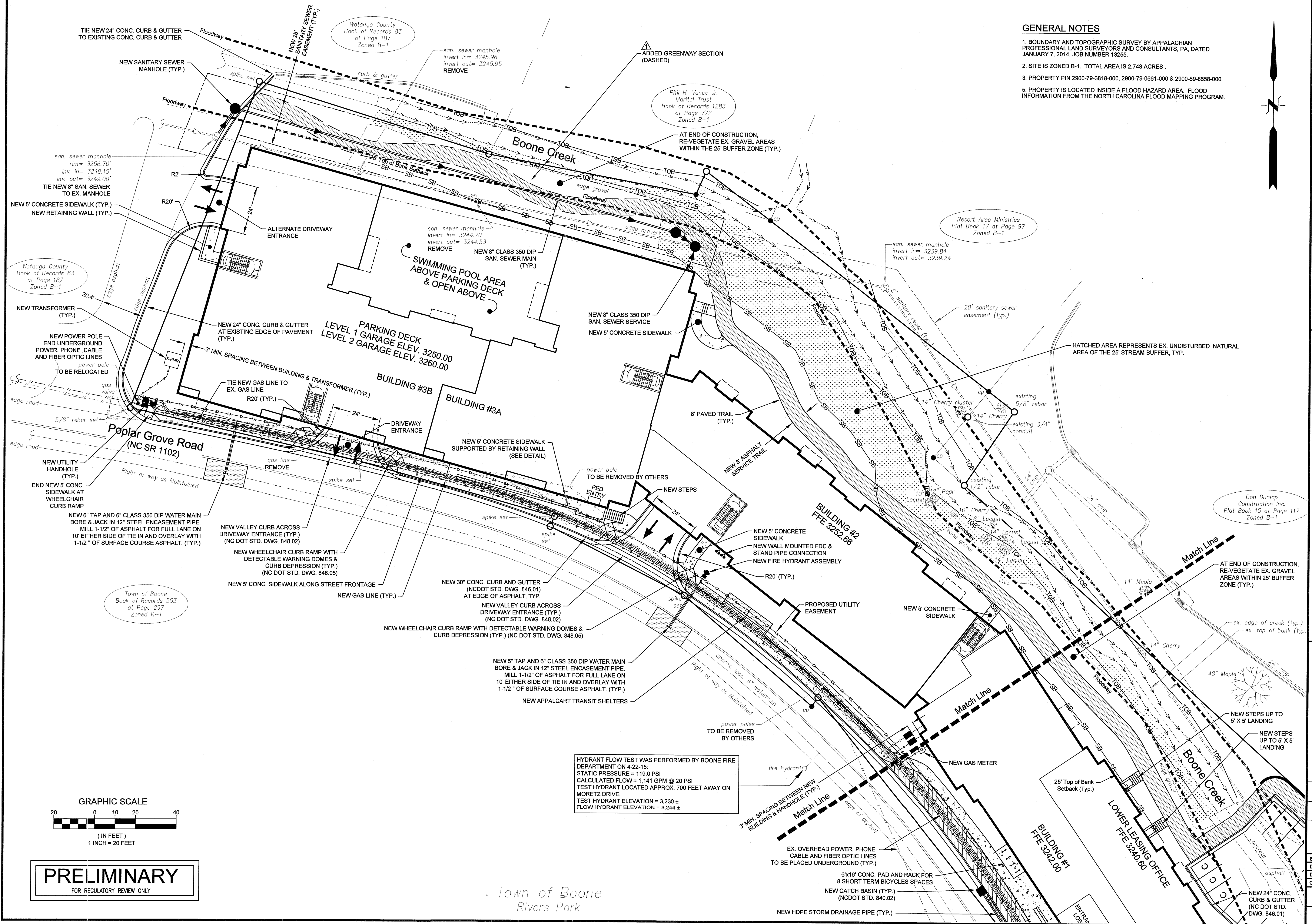
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RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

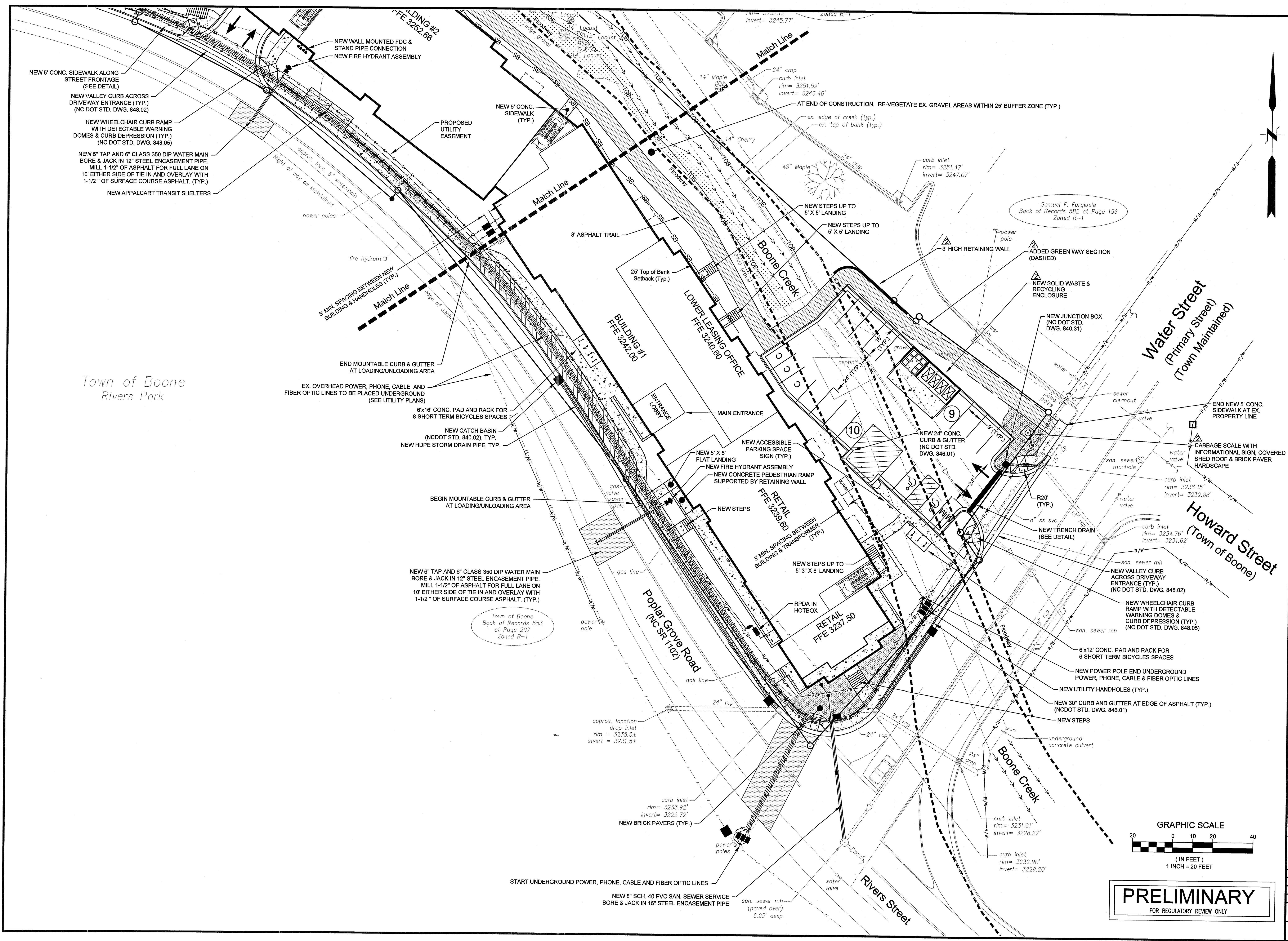
REVISIONS TO SURFACE LOT & GREENWAY		GREENWAY INFORMATION ADDED		DESCRIPTION	
DATE	BY	DATE	BY	REV.	DESCRIPTION
5-23-16	AJC	3-25-16	AJC		
SCALE: 1" = 30' DATE: 2-25-16 DRWN. BY: EGT CHKD. BY: AJC PROJECT NUMBER: B13057.3 DRAWING NO. C-4 SHEET NO. 4 OF 14					

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY APPALACHIAN PROFESSIONAL LAND SURVEYORS AND CONSULTANTS, PA, DATED JANUARY 7, 2014, JOB NUMBER 13255.
2. SITE IS ZONED B-1. TOTAL AREA IS 2.748 ACRES .
3. PROPERTY PIN 2900-79-3818-000, 2900-79-0661-000 & 2900-69-8658-000.
5. PROPERTY IS LOCATED INSIDE A FLOOD HAZARD AREA. FLOOD INFORMATION FROM THE NORTH CAROLINA FLOOD MAPPING PROGRAM.



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Town of Boone
Rivers Park



Engineering
Company, P.A.

Municipal
Services

P.O. BOX 97 GARNER, N.C. 27839
(619) 772-5393

1. LICENSE NUMBER: C 0924

RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

REVISIONS TO SURFACE LOT & GREENWAY		DESCRIPTION	
DATE	BY	REV.	
5-23-16	AJC	1	REVISIONS TO SURFACE LOT & GREENWAY
PROJECT NUMBER B13057.3			
DRAWING NO. C-6			
SHEET NO. 6 OF 14			
Packet Pg. 280			

SCALE: 1" = 20'
DATE: 2-25-16
DRWN. BY: EGT
CHKD. BY: AJC
PROJECT NUMBER
B13057.3
DRAWING NO. C-6
SHEET NO. 6 OF 14
Packet Pg. 280

CONSTRUCTION NOTES:

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY APPALACHIAN PROFESSIONAL LAND SURVEYORS AND CONSULTANTS, P.A. DATED JANUARY 7, 2014, JOB NUMBER 13255.
2. THE ROOF SHALL DRAIN TOWARDS THE BACK OF THE PROPERTY TO THE CREEK. ROOF DRAINS SHALL BE COLLECTED IN A ROOF DRAIN HEADERS AND OUTLET TO THE CREEK OR THE STORM DRAINAGE SYSTEM AT MULTIPLE LOCATIONS. ADDITIONAL DETAIL WILL BE PROVIDED ONCE DOWNSPOUT LOCATIONS HAVE BEEN DETERMINED.
3. UNLESS INDICATED OTHERWISE ALL CMP'S SHALL BE FULLY BITUMINOUS OR ALUMINIZED COATED 16 GA. CORRUGATED STEEL WITH CORRUGATED OR HUGGER TYPE CONNECTING BANDS.
4. DOUBLE WALL, SMOOTH INTERIOR HIGH DENSITY POLYETHYLENE CORRUGATED DRAIN PIPE MAY BE USED IN LIEU OF COATED CORRUGATED METAL PIPE. PIPE MUST MEET ASTM F667. PIPE LOCATED IN RIGHT-OF-WAY SHALL BE NC DOT APPROVED.
5. ALL STORM DRAINAGE PIPES SHALL HAVE 1' MINIMUM COVER.
6. CONTOUR INTERVAL=1'
7. REFER TO ORIGINAL SPECIFICATIONS FOR GRADING, COMPACTING, DRAINAGE AND EROSION CONTROL.
8. ALL EROSION CONTROL FABRIC SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
9. IF CONTRACTOR WISHES TO USE AN EROSION CONTROL FABRIC OTHER THAN WHAT IS SPECIFIED, PRIOR APPROVAL MUST BE GRANTED BY ENGINEER.
10. CONTRACTOR SHALL PLACE CONCRETE INVERTS TO THE LEVEL OF OUTLET PIPE IN ALL DRAINAGE STRUCTURES SO THAT THERE IS NO PONDING.

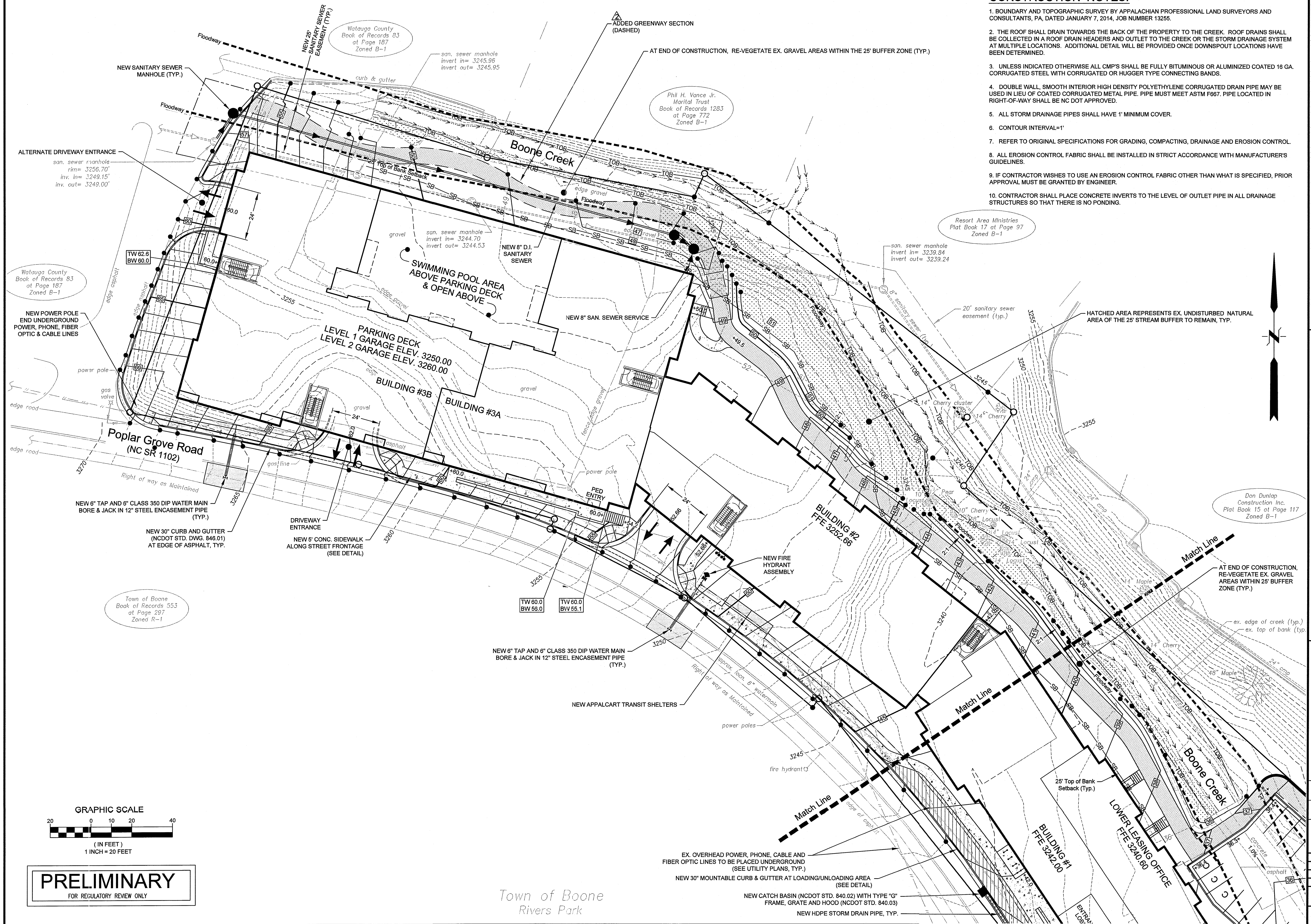


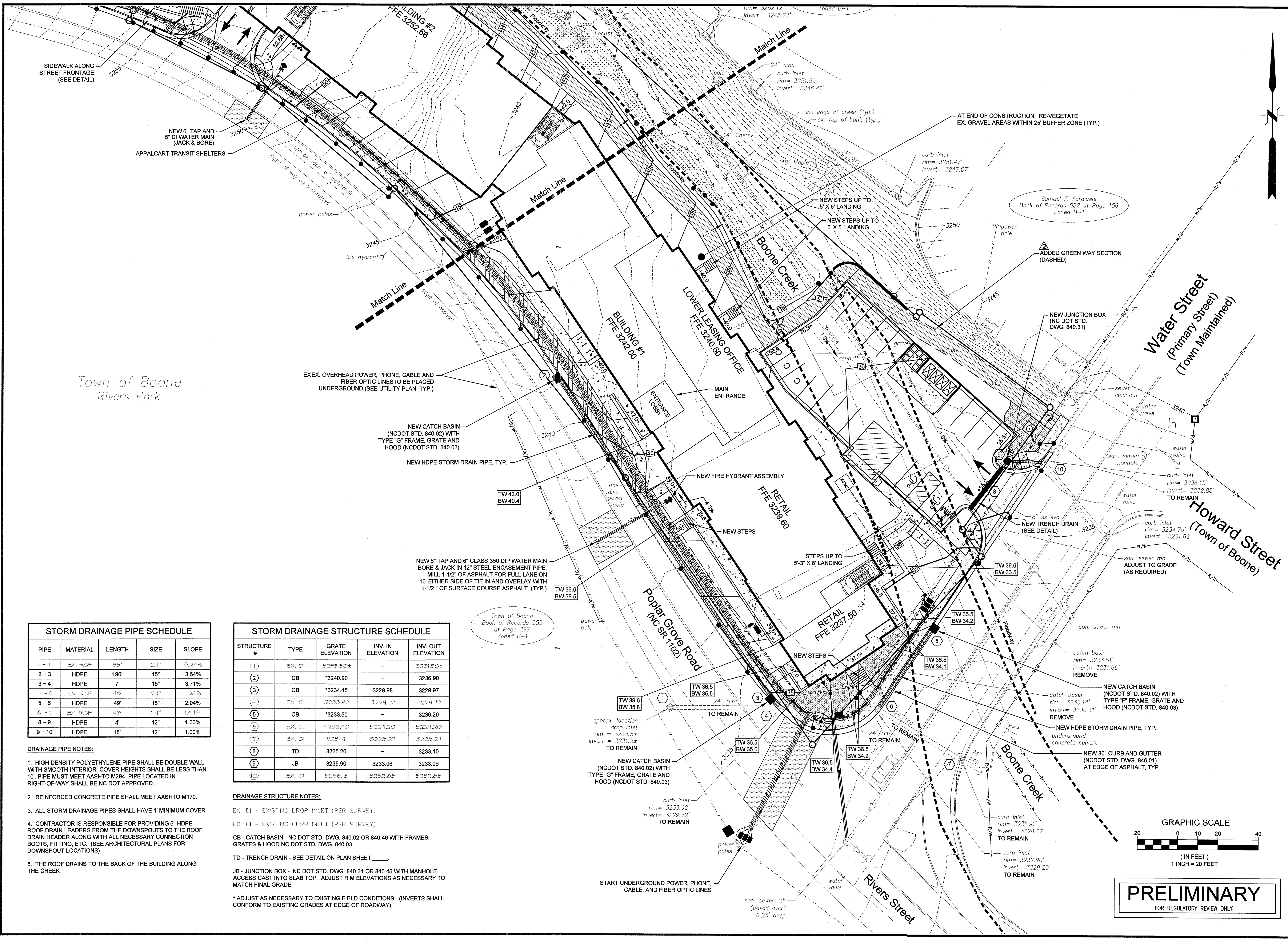
**RIVERS WALK
MCKINLEY BOONE, LLC**

**WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

REVISIONS TO SURFACE LOT & GREENWAY		DESCRIPTION	
DATE	REV.	BY	DESCRIPTION
5-23-16	AJC	BT	

SCALE:	1" = 20'
DATE:	2-25-16
DRWN. BY:	EGT
CHKD. BY:	AJC
PROJECT NUMBER:	B13057.3
DRAWING NO.:	C-7
SHEET NO.:	7 OF 14



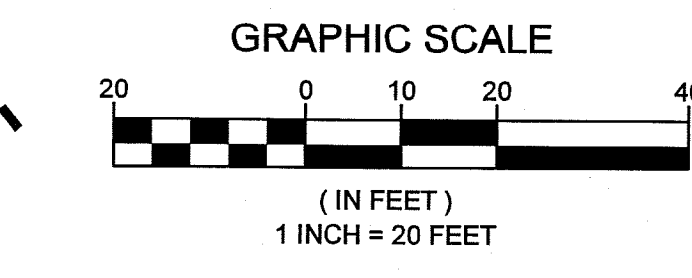


STORM DRAINAGE PIPE SCHEDULE				
PIPE	MATERIAL	LENGTH	SIZE	SLOPE
1 - 4	EX. RCP	55'	24"	5.24%
2 - 3	HDPE	190'	15"	3.64%
3 - 4	HDPE	7'	15"	3.71%
4 - 6	EX. RCP	46'	24"	1.05%
5 - 6	HDPE	49'	15"	2.04%
6 - 7	EX. RCP	46'	24"	1.94%
8 - 9	HDPE	4'	12"	1.00%
9 - 10	HDPE	18'	12"	1.00%

- DRAINAGE PIPE NOTES:**
- HIGH DENSITY POLYETHYLENE PIPE SHALL BE DOUBLE WALL WITH SMOOTH INTERIOR. COVER HEIGHTS SHALL BE LESS THAN 10'. PIPE MUST MEET AASHTO M294. PIPE LOCATED IN RIGHT-OF-WAY SHALL BE NC DOT APPROVED.
 - REINFORCED CONCRETE PIPE SHALL MEET AASHTO M170.
 - ALL STORM DRAINAGE PIPES SHALL HAVE 1' MINIMUM COVER
 - CONTRACTOR IS RESPONSIBLE FOR PROVIDING 6" HDPE ROOF DRAIN LEADERS FROM THE DOWNSPOUTS TO THE ROOF DRAIN HEADER ALONG WITH ALL NECESSARY CONNECTION BOOTS, FITTING, ETC. (SEE ARCHITECTURAL PLANS FOR DOWNSPOUT LOCATIONS)
 - THE ROOF DRAINS TO THE BACK OF THE BUILDING ALONG THE CREEK.

STORM DRAINAGE STRUCTURE SCHEDULE				
STRUCTURE #	TYPE	GRATE ELEVATION	INV. IN ELEVATION	INV. OUT ELEVATION
(1)	EX. DI	3235.50±	-	3231.50±
(2)	CB	*3240.90	-	3236.90
(3)	CB	*3234.45	3229.98	3229.97
(4)	EX. CI	3235.42	3229.72	3229.72
(5)	CB	*3233.50	-	3230.20
(6)	EX. CI	3232.90	3229.20	3229.20
(7)	EX. CI	3231.41	3228.27	3228.27
(8)	TD	3235.20	-	3233.10
(9)	JB	3235.90	3233.06	3233.06
(10)	EX. CI	3236.15	3232.88	3232.88

- DRAINAGE STRUCTURE NOTES:**
- EX. DI - EXISTING DROP INLET (PER SURVEY)
- EX. CI - EXISTING CURB INLET (PER SURVEY)
- CB - CATCH BASIN - NC DOT STD. DWG. 840.02 OR 840.46 WITH FRAMES, GRATES & HOOD NC DOT STD. DWG. 840.03.
- TD - TRENCH DRAIN - SEE DETAIL ON PLAN SHEET ____
- JB - JUNCTION BOX - NC DOT STD. DWG. 840.31 OR 840.45 WITH MANHOLE ACCESS CAST INTO SLAB TOP. ADJUST RIM ELEVATIONS AS NECESSARY TO MATCH FINAL GRADE.
- * ADJUST AS NECESSARY TO EXISTING FIELD CONDITIONS. (INVERTS SHALL CONFORM TO EXISTING GRADES AT EDGE OF ROADWAY)



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1. PRIOR TO ANY GROUND DISTURBING ACTIVITIES, CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES. CALL 811.
2. SCHEDULE PRE-CONSTRUCTION MEETING WITH THE TOWN OF BOONE.
3. INSTALL INITIAL EROSION & SEDIMENTATION CONTROL MEASURES AS SHOWN ON THIS PLAN, INCLUDING TEMPORARY C FENCE WATTLE BREAKS, BERM DITCHES, SKIMMER SEDIMENT BASINS AND INLET PROTECTION.
4. STRIP AND STOCKPILE TOPSOIL IN DESIGNATED STOCKPILE AREA. INSTALL TEMPORARY SILT FENCE AROUND TOPSOIL AREAS. ONLY STRIP TOPSOIL FROM AREAS WHERE GRADING WILL IMMEDIATELY TAKE PLACE.
5. BEGIN GRADING WORK FOR THE REMOVAL OF UNSUITABLE SOILS AND THE CONSTRUCTION OF THE BUILDING PAD FOR DRAINING TO TEMPORARY SKIMMER SEDIMENT BASINS.
6. EXISTING IMPERVIOUS SURFACES OUTSIDE OF AREAS BEING DISTURBED BY GRADING WORK AND AREAS DRAINING TO SHALL REMAIN IN PLACE DURING PHASE 1.
7. TEMPORARY BERM DITCHES SHALL BE RESTORED IF DISTURBED AT THE END OF EACH WORKING DAY TO DIVERT RUNOFF.
8. SLOPES SHALL BE STABILIZED AND PROVIDED WITH TEMPORARY OR PERMANENT GROUND COVER SUFFICIENT TO COMPLY WITH THE NEW STABILIZATION TIMEFRAMES CHART ON THIS PLAN SHEET. DISTURBED AREAS SHALL BE SEEDED AND MULCH SPECIFICATIONS ON PLAN SHEET C-21.
9. INSPECT ALL EROSION & SEDIMENTATION CONTROL MEASURES WEEKLY AND AFTER EVERY RAIN STORM. ALL MEASURED AREAS HAVE BEEN STABILIZED AND PERMANENT GROUND COVER ESTABLISHED.
10. IMMEDIATELY REPAIR ANY DAMAGE TO EROSION & SEDIMENTATION CONTROL MEASURES. REMOVE SEDIMENT FROM TOPSOIL LEVEL REACHES ONE-HALF FENCE HEIGHT. CLEAR THE INLET PROTECTION HARDWARE CLOTH OF ANY DEBRIS TO PROVIDE STONE AS REQUIRED. REMOVE SEDIMENT FROM TEMPORARY SKIMMER SEDIMENT BASINS WHEN SEDIMENT LEVEL REACHES ONE-HALF FENCE HEIGHT. REPAIR ANY DAMAGE TO TEMPORARY SILT FENCE, INLET PROTECTION HARDWARE CLOTH OR POROUS Baffles DUE TO TEMPORARY GRAVEL CONSTRUCTION ENTRANCES AS NECESSARY.
11. REFER TO PHASE 2 EROSION & SEDIMENTATION CONTROL PLAN FOR PHASE 2 CONSTRUCTION SEQUENCE.

1. CONTOUR INTERVAL = 1 FOOT.
2. REFER TO SITE WORK SPECIFICATIONS FOR GRADING, COMPACTING, DRAINAGE AND EROSION & SEDIMENTATION CONTROL.
3. ALL EROSION & SEDIMENTATION CONTROL FABRIC SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
4. IF CONTRACTOR WISHES TO USE AN EROSION & SEDIMENTATION CONTROL FABRIC OTHER THAN WHAT IS SPECIFIED, PRIOR APPROVAL MUST BE GRANTED BY THE ENGINEER.
5. CONTRACTOR SHALL PLACE CONCRETE INVERTS TO THE LEVEL OF THE OUTLET PIPE IN ALL DRAINAGE STRUCTURES SO THAT THERE IS NO PONDING IN STRUCTURES.

 LIMITS OF DISTURBANCE
 SILT FENCE
 SILT FENCE WATTLE BREAK
 DITCH WATTLE
 SKIMMER SEDIMENT BASIN
 INLET PROTECTION
 GRAVEL CONSTRUCTION ENTRANCE
 TEMPORARY BERM DITCH

1. THIS PROJECT REQUIRES COMPLIANCE WITH ALL CONDITIONS OF THE GENERAL NPDES STORMWATER PERMIT TO DISCHARGE STORMWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (PERMIT #NCG01000). ANY PERMIT NON COMPLIANCE IS A VIOLATION OF THE CLEAN WATER ACT AND MAY REQUIRE ENFORCEMENT ACTION BY NCDENR. INFORMATION REGARDING NCG010000 CAN BE FOUND AT:

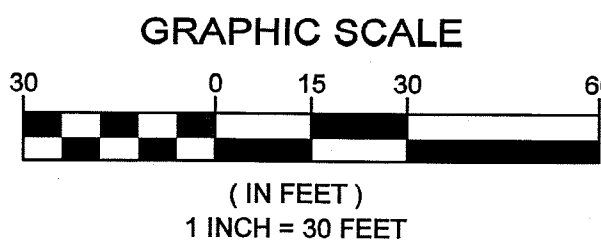
[HTTP://PORTAL.NCDENR.ORG/WEB/LR/CONSTRUCTION-STORMWATER](http://portal.ncdenr.org/web/lr/construction-stormwater)

2. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A WEEKLY SEDIMENTATION AND EROSION CONTROL INSPECTION REPORT TO BE MADE AVAILABLE UPON REQUEST. THE INSPECTION REPORT SHALL BE PREPARED IN STRICT ACCORDANCE WITH NPDES GENERAL PERMIT NCG010000.

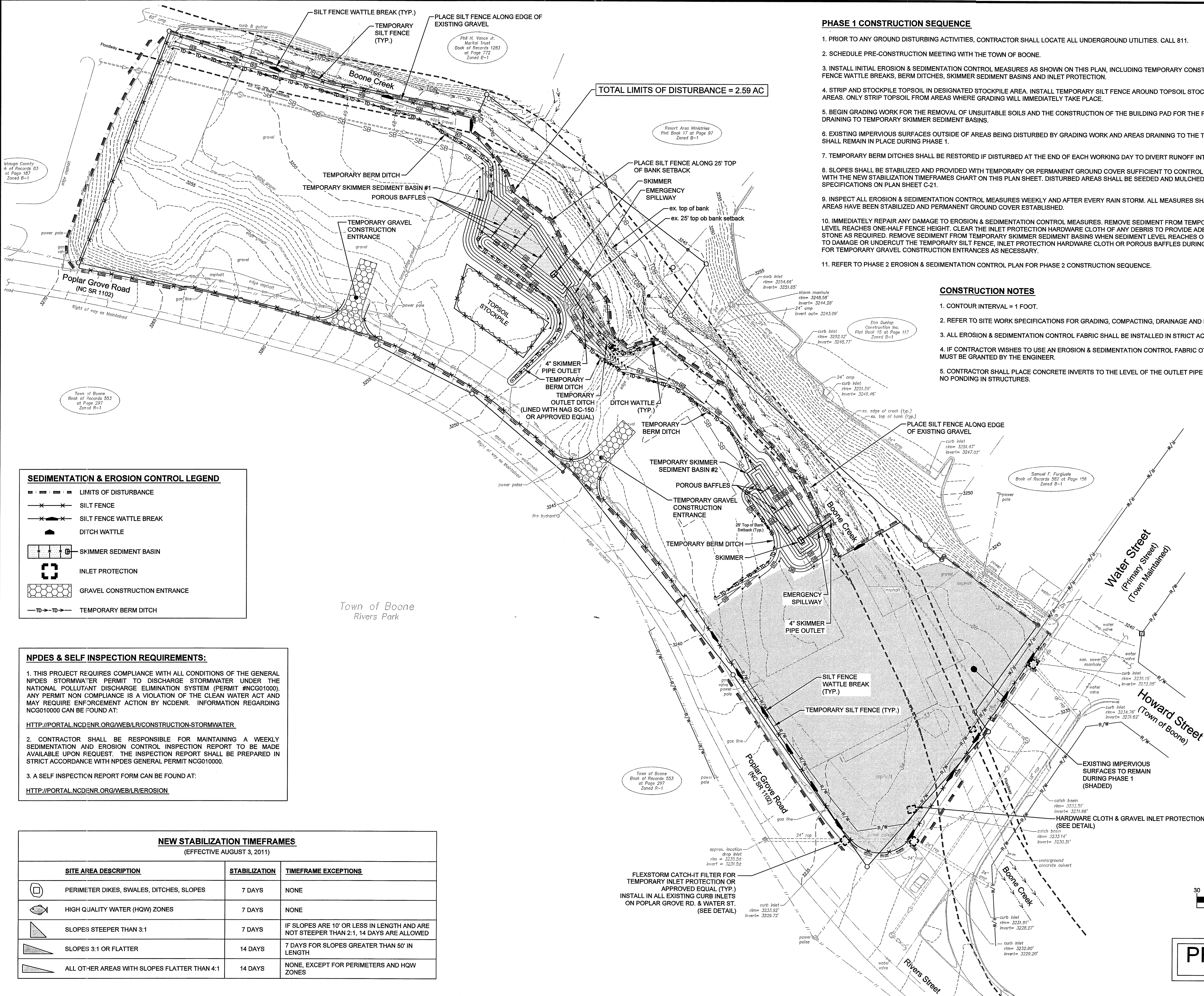
3. A SELF INSPECTION REPORT FORM CAN BE FOUND AT:

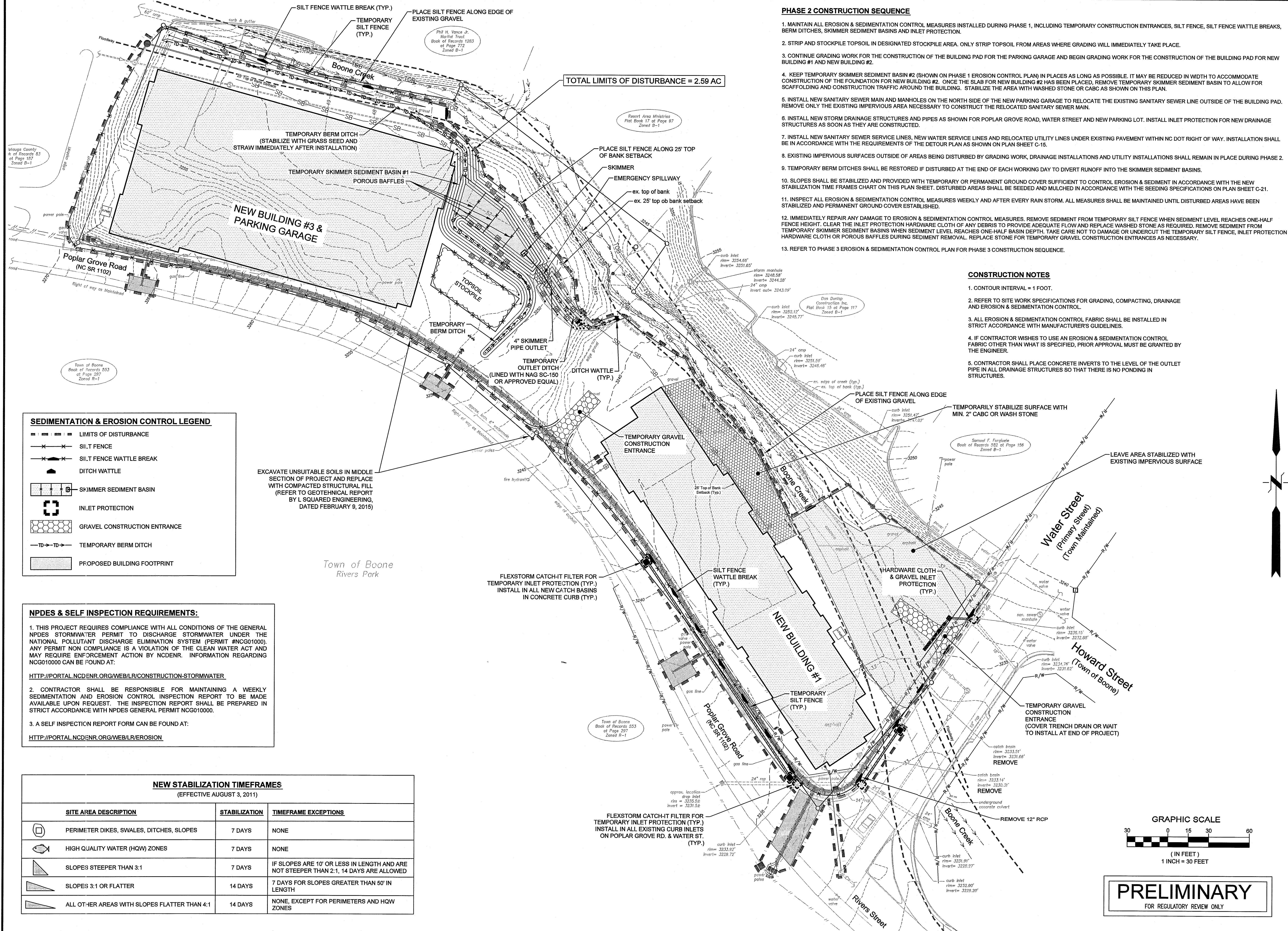
[HTTP://PORTAL.NCDIENR.ORG/WEB/LR/EROSION](http://portal.ncdienr.org/web/lr/erosion)

<u>NEW STABILIZATION TIMEFRAMES</u> (EFFECTIVE AUGUST 3, 2011)		
<u>SITE AREA DESCRIPTION</u>	<u>STABILIZATION</u>	<u>TIMEFRAME EXCEPTIONS</u>
 PERIMETER DIKES, SWALES, DITCHES, SLOPES	7 DAYS	NONE
 HIGH QUALITY WATER (HQW) ZONES	7 DAYS	NONE
 SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
 SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES GREATER THAN 50' IN LENGTH
 ALL OT-HER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE, EXCEPT FOR PERIMETERS AND HQW ZONES



PRELIMINARY
FOR REGULATORY REVIEW ONLY





PHASE 2 CONSTRUCTION SEQUENCE

1. MAINTAIN ALL EROSION & SEDIMENTATION CONTROL MEASURES INSTALLED DURING PHASE 1, INCLUDING TEMPORARY CONSTRUCTION ENTRANCES, SILT FENCE, SILT FENCE WATTLE BREAKS, BERM DITCHES, SKIMMER SEDIMENT BASINS AND INLET PROTECTION.
2. STRIP AND STOCKPILE TOPSOIL IN DESIGNATED STOCKPILE AREA. ONLY STRIP TOPSOIL FROM AREAS WHERE GRADING WILL IMMEDIATELY TAKE PLACE.
3. CONTINUE GRADING WORK FOR THE CONSTRUCTION OF THE BUILDING PAD FOR THE PARKING GARAGE AND BEGIN GRADING WORK FOR THE CONSTRUCTION OF THE BUILDING PAD FOR NEW BUILDING #1 AND NEW BUILDING #2.
4. KEEP TEMPORARY SKIMMER SEDIMENT BASIN #2 (SHOWN ON PHASE 1 EROSION CONTROL PLAN) IN PLACES AS LONG AS POSSIBLE. IT MAY BE REDUCED IN WIDTH TO ACCOMMODATE CONSTRUCTION OF THE FOUNDATION FOR NEW BUILDING #2. ONCE THE SLAB FOR NEW BUILDING #2 HAS BEEN PLACED, REMOVE TEMPORARY SKIMMER SEDIMENT BASIN TO ALLOW FOR SCAFFOLDING AND CONSTRUCTION TRAFFIC AROUND THE BUILDING. STABILIZE THE AREA WITH WASHED STONE OR CABC AS SHOWN ON THIS PLAN.
5. INSTALL NEW SANITARY SEWER MAIN AND MANHOLES ON THE NORTH SIDE OF THE NEW PARKING GARAGE TO RELOCATE THE EXISTING SANITARY SEWER LINE OUTSIDE OF THE BUILDING PAD. REMOVE ONLY THE EXISTING IMPERVIOUS AREA NECESSARY TO CONSTRUCT THE RELOCATED SANITARY SEWER MAIN.
6. INSTALL NEW STORM DRAINAGE STRUCTURES AND PIPES AS SHOWN FOR POPLAR GROVE ROAD, WATER STREET AND NEW PARKING LOT. INSTALL INLET PROTECTION FOR NEW DRAINAGE STRUCTURES AS SOON AS THEY ARE CONSTRUCTED.
7. INSTALL NEW SANITARY SEWER SERVICE LINES, NEW WATER SERVICE LINES AND RELOCATED UTILITY LINES UNDER EXISTING PAVEMENT WITHIN NC DOT RIGHT OF WAY. INSTALLATION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE DETOUR PLAN AS SHOWN ON PLAN SHEET C-15.
8. EXISTING IMPERVIOUS SURFACES OUTSIDE OF AREAS BEING DISTURBED BY GRADING WORK, DRAINAGE INSTALLATIONS AND UTILITY INSTALLATIONS SHALL REMAIN IN PLACE DURING PHASE 2.
9. TEMPORARY BERM DITCHES SHALL BE RESTORED IF DISTURBED AT THE END OF EACH WORKING DAY TO DIVERT RUNOFF INTO THE SKIMMER SEDIMENT BASINS.
10. SLOPES SHALL BE STABILIZED AND PROVIDED WITH TEMPORARY OR PERMANENT GROUND COVER SUFFICIENT TO CONTROL EROSION & SEDIMENT IN ACCORDANCE WITH THE NEW STABILIZATION TIME FRAMES CHART ON THIS PLAN SHEET. DISTURBED AREAS SHALL BE SEEDED AND MULCHED IN ACCORDANCE WITH THE SEEDING SPECIFICATIONS ON PLAN SHEET C-21.
11. INSPECT ALL EROSION & SEDIMENTATION CONTROL MEASURES WEEKLY AND AFTER EVERY RAIN STORM. ALL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS HAVE BEEN STABILIZED AND PERMANENT GROUND COVER ESTABLISHED.
12. IMMEDIATELY REPAIR ANY DAMAGE TO EROSION & SEDIMENTATION CONTROL MEASURES. REMOVE SEDIMENT FROM TEMPORARY SILT FENCE WHEN SEDIMENT LEVEL REACHES ONE-HALF FENCE HEIGHT. CLEAR THE INLET PROTECTION HARDWARE CLOTH OF ANY DEBRIS TO PROVIDE ADEQUATE FLOW AND REPLACE WASHED STONE AS REQUIRED. REMOVE SEDIMENT FROM TEMPORARY SKIMMER SEDIMENT BASINS WHEN SEDIMENT LEVEL REACHES ONE-HALF BASIN DEPTH. TAKE CARE NOT TO DAMAGE OR UNDERCUT THE TEMPORARY SILT FENCE, INLET PROTECTION HARDWARE CLOTH OR POROUS BAFFLES DURING SEDIMENT REMOVAL. REPLACE STONE FOR TEMPORARY GRAVEL CONSTRUCTION ENTRANCES AS NECESSARY.
13. REFER TO PHASE 3 EROSION & SEDIMENTATION CONTROL PLAN FOR PHASE 3 CONSTRUCTION SEQUENCE.

CONSTRUCTION NOTES

1. CONTOUR INTERVAL = 1 FOOT.
2. REFER TO SITE WORK SPECIFICATIONS FOR GRADING, COMPACTING, DRAINAGE AND EROSION & SEDIMENTATION CONTROL.
3. ALL EROSION & SEDIMENTATION CONTROL FABRIC SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
4. IF CONTRACTOR WISHES TO USE AN EROSION & SEDIMENTATION CONTROL FABRIC OTHER THAN WHAT IS SPECIFIED, PRIOR APPROVAL MUST BE GRANTED BY THE ENGINEER.
5. CONTRACTOR SHALL PLACE CONCRETE INVERTS TO THE LEVEL OF THE OUTLET PIPE IN ALL DRAINAGE STRUCTURES SO THAT THERE IS NO PONDING IN STRUCTURES.

SEDIMENTATION & EROSION CONTROL LEGEND

- LIMITS OF DISTURBANCE
- SILT FENCE
- SILT FENCE WATTLE BREAK
- DITCH WATTLE
- SKIMMER SEDIMENT BASIN
- INLET PROTECTION
- GRAVEL CONSTRUCTION ENTRANCE
- TEMPORARY BERM DITCH
- PROPOSED BUILDING FOOTPRINT

NPDES & SELF INSPECTION REQUIREMENTS:

1. THIS PROJECT REQUIRES COMPLIANCE WITH ALL CONDITIONS OF THE GENERAL NPDES STORMWATER PERMIT TO DISCHARGE STORMWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (PERMIT #NCG010000). ANY PERMIT NON COMPLIANCE IS A VIOLATION OF THE CLEAN WATER ACT AND MAY REQUIRE ENFORCEMENT ACTION BY NCDENR. INFORMATION REGARDING NCG010000 CAN BE FOUND AT:

[HTTP://PORTAL.NCDENR.ORG/WEB/LR/CONSTRUCTION-STORMWATER](http://portal.ncdenr.org/web/lr/construction-stormwater)

2. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A WEEKLY SEDIMENTATION AND EROSION CONTROL INSPECTION REPORT TO BE MADE AVAILABLE UPON REQUEST. THE INSPECTION REPORT SHALL BE PREPARED IN STRICT ACCORDANCE WITH NPDES GENERAL PERMIT NCG010000.

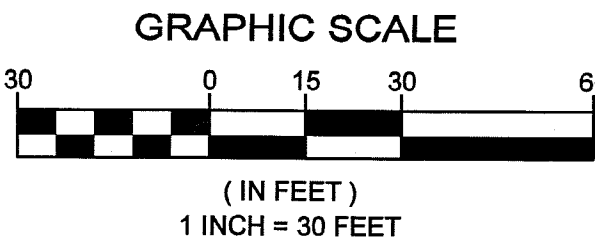
3. A SELF INSPECTION REPORT FORM CAN BE FOUND AT:

[HTTP://PORTAL.NCDENR.ORG/WEB/LR/EROSION](http://portal.ncdenr.org/web/lr/erosion)

NEW STABILIZATION TIMEFRAMES

(EFFECTIVE AUGUST 3, 2011)

SITE AREA DESCRIPTION	STABILIZATION	TIMEFRAME EXCEPTIONS
PERIMETER DIKES, SWALES, DITCHES, SLOPES	7 DAYS	NONE
HIGH QUALITY WATER (HQW) ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES GREATER THAN 50' IN LENGTH
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE, EXCEPT FOR PERIMETERS AND HQW ZONES



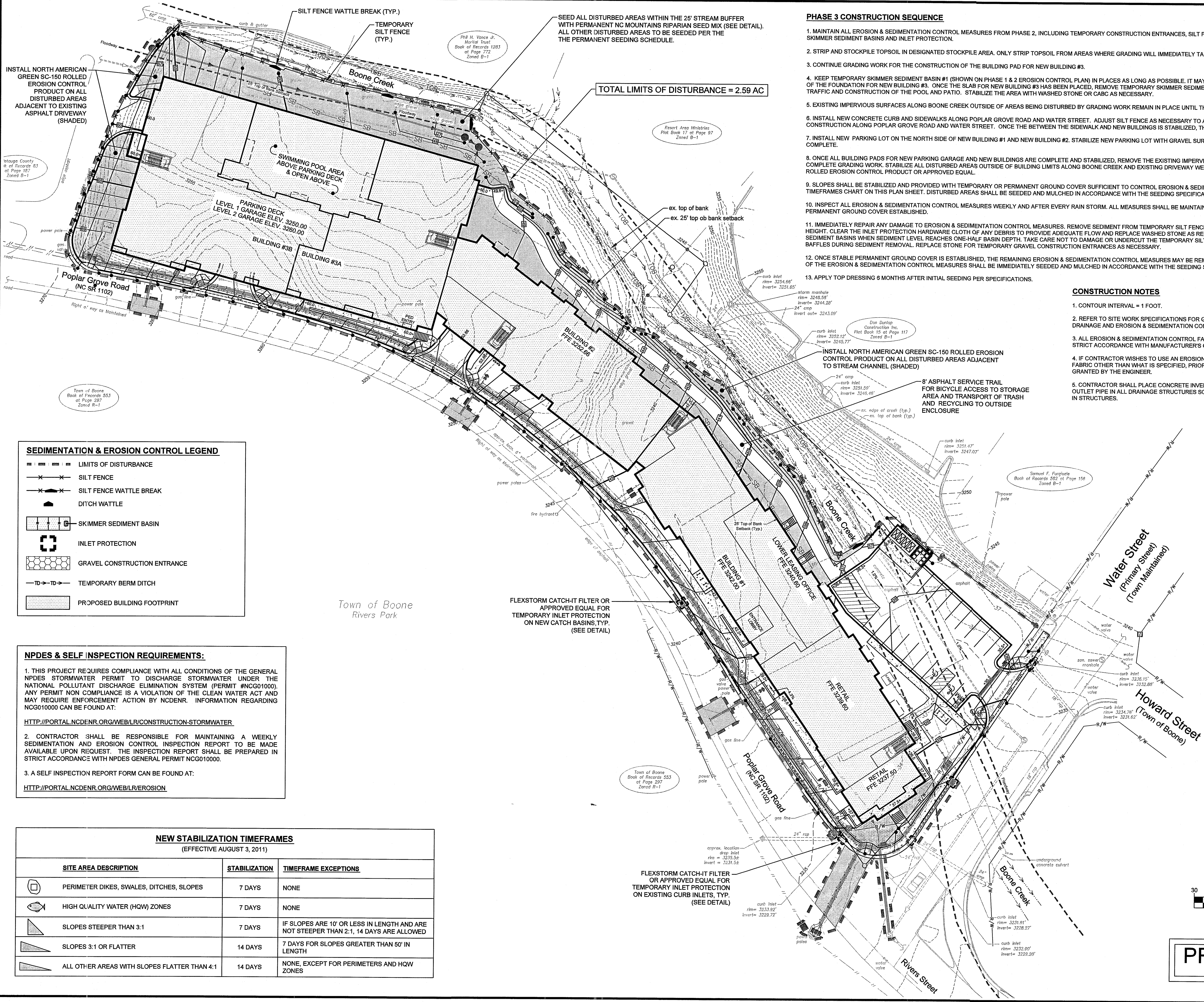
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FOR REGULATORY REVIEW ONLY

Engineering Company, P.A.
P.O. BOX 349 BOONE, N.C. 28607
(828) 282-7677

Municipal Services
P.O. BOX 97 GARNER, N.C. 27523
(919) 772-5393

**RIVERS WALK
McKINLEY BOONE, LLC**
**WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

DATE	BY	REV.	DESCRIPTION
2-25-16	EGT		EROSION & SEDIMENTATION CONTROL PLAN - PHASE 2
PROJECT NUMBER B13057.3			
DRAWING NO. C-10			
SHEET NO. 10 OF 14			



- PHASE 3 CONSTRUCTION SEQUENCE**
1. MAINTAIN ALL EROSION & SEDIMENTATION CONTROL MEASURES FROM PHASE 2, INCLUDING TEMPORARY CONSTRUCTION ENTRANCES, SILT FENCE, SILT FENCE WATTLE BREAKS, BERM DITCHES, SKIMMER SEDIMENT BASINS AND INLET PROTECTION.
 2. STRIP AND STOCKPILE TOPSOIL IN DESIGNATED STOCKPILE AREA. ONLY STRIP TOPSOIL FROM AREAS WHERE GRADING WILL IMMEDIATELY TAKE PLACE.
 3. CONTINUE GRADING WORK FOR THE CONSTRUCTION OF THE BUILDING PAD FOR NEW BUILDING #3.
 4. KEEP TEMPORARY SKIMMER SEDIMENT BASIN #1 (SHOWN ON PHASE 1 & 2 EROSION CONTROL PLAN) IN PLACES AS LONG AS POSSIBLE. IT MAY BE REDUCED IN WIDTH TO ACCOMMODATE CONSTRUCTION OF THE FOUNDATION FOR NEW BUILDING #3. ONCE THE SLAB FOR NEW BUILDING #3 HAS BEEN PLACED, REMOVE TEMPORARY SKIMMER SEDIMENT BASIN TO ALLOW FOR SCAFFOLDING, CONSTRUCTION TRAFFIC AND CONSTRUCTION OF THE POOL AND PATIO. STABILIZE THE AREA WITH WASHED STONE OR CABC AS NECESSARY.
 5. EXISTING IMPERVIOUS SURFACES ALONG BOONE CREEK OUTSIDE OF AREAS BEING DISTURBED BY GRADING WORK REMAIN IN PLACE UNTIL THE END OF PHASE 3.
 6. INSTALL NEW CONCRETE CURB AND SIDEWALKS ALONG POPLAR GROVE ROAD AND WATER STREET. ADJUST SILT FENCE AS NECESSARY TO ACCOMMODATE CURB, GUTTER AND SIDEWALK CONSTRUCTION ALONG POPLAR GROVE ROAD AND WATER STREET. ONCE THE BETWEEN THE SIDEWALK AND NEW BUILDINGS IS STABILIZED, THE SILT FENCE CAN BE REMOVED.
 7. INSTALL NEW PARKING LOT ON THE NORTH SIDE OF NEW BUILDING #1 AND NEW BUILDING #2. STABILIZE NEW PARKING LOT WITH GRAVEL SURFACE AS SOON AS POSSIBLE AFTER GRADING WORK IS COMPLETE.
 8. ONCE ALL BUILDING PADS FOR NEW PARKING GARAGE AND NEW BUILDINGS ARE COMPLETE AND STABILIZED, REMOVE THE EXISTING IMPERVIOUS SURFACES REMAINING ALONG BOONE CREEK AND COMPLETE GRADING WORK. STABILIZE ALL DISTURBED AREAS OUTSIDE OF BUILDING LIMITS ALONG BOONE CREEK AND EXISTING DRIVEWAY WEST OF PROJECT SITE WITH NORTH AMERICAN GREEN SC-150 ROLLED EROSION CONTROL PRODUCT OR APPROVED EQUAL.
 9. SLOPES SHALL BE STABILIZED AND PROVIDED WITH TEMPORARY OR PERMANENT GROUND COVER SUFFICIENT TO CONTROL EROSION & SEDIMENT IN ACCORDANCE WITH THE NEW STABILIZATION TIMEFRAMES CHART ON THIS PLAN SHEET. DISTURBED AREAS SHALL BE SEEDED AND MULCHED IN ACCORDANCE WITH THE SEEDING SPECIFICATIONS ON PLAN SHEET C-21.
 10. INSPECT ALL EROSION & SEDIMENTATION CONTROL MEASURES WEEKLY AND AFTER EVERY RAIN STORM. ALL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS HAVE BEEN STABILIZED AND PERMANENT GROUND COVER ESTABLISHED.
 11. IMMEDIATELY REPAIR ANY DAMAGE TO EROSION & SEDIMENTATION CONTROL MEASURES. REMOVE SEDIMENT FROM TEMPORARY SILT FENCE WHEN SEDIMENT LEVEL REACHES ONE-HALF FENCE HEIGHT. CLEAR THE INLET PROTECTION HARDWARE CLOTH OF ANY DEBRIS TO PROVIDE ADEQUATE FLOW AND REPLACE WASHED STONE AS REQUIRED. REMOVE SEDIMENT FROM TEMPORARY SKIMMER SEDIMENT BASINS WHEN SEDIMENT LEVEL REACHES ONE-HALF BASIN DEPTH. TAKE CARE NOT TO DAMAGE OR UNDERCUT THE TEMPORARY SILT FENCE, INLET PROTECTION HARDWARE CLOTH OR POROUS Baffles DURING SEDIMENT REMOVAL. REPLACE STONE FOR TEMPORARY GRAVEL CONSTRUCTION ENTRANCES AS NECESSARY.
 12. ONCE STABLE PERMANENT GROUND COVER IS ESTABLISHED, THE REMAINING EROSION & SEDIMENTATION CONTROL MEASURES MAY BE REMOVED. BARE SOIL AREAS REMAINING AFTER THE REMOVAL OF THE EROSION & SEDIMENTATION CONTROL MEASURES SHALL BE IMMEDIATELY SEEDED AND MULCHED IN ACCORDANCE WITH THE SEEDING SPECIFICATIONS ON PLAN SHEET C-21.
 13. APPLY TOP DRESSING 6 MONTHS AFTER INITIAL SEEDING PER SPECIFICATIONS.

- CONSTRUCTION NOTES**
1. CONTOUR INTERVAL = 1 FOOT.
 2. REFER TO SITE WORK SPECIFICATIONS FOR GRADING, COMPACTING, DRAINAGE AND EROSION & SEDIMENTATION CONTROL.
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SEDIMENTATION & EROSION CONTROL LEGEND

- LIMITS OF DISTURBANCE
- SILT FENCE
- SILT FENCE WATTLE BREAK
- DITCH WATTLE
- SKIMMER SEDIMENT BASIN
- INLET PROTECTION
- GRAVEL CONSTRUCTION ENTRANCE
- TD --- TEMPORARY BERM DITCH
- PROPOSED BUILDING FOOTPRINT

NPDES & SELF INSPECTION REQUIREMENTS:

1. THIS PROJECT REQUIRES COMPLIANCE WITH ALL CONDITIONS OF THE GENERAL NPDES STORMWATER PERMIT TO DISCHARGE STORMWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (PERMIT #NCG01000). ANY PERMIT NON COMPLIANCE IS A VIOLATION OF THE CLEAN WATER ACT AND MAY REQUIRE ENFORCEMENT ACTION BY NCDENR. INFORMATION REGARDING NCG010000 CAN BE FOUND AT:

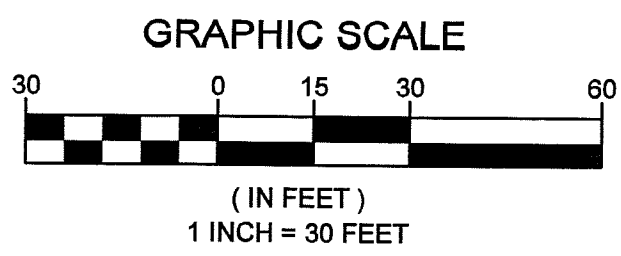
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NEW STABILIZATION TIMEFRAMES (EFFECTIVE AUGUST 3, 2011)		
SITE AREA DESCRIPTION	STABILIZATION	TIMEFRAME EXCEPTIONS
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HIGH QUALITY WATER (Hqw) ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES GREATER THAN 50' IN LENGTH
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE, EXCEPT FOR PERIMETERS AND Hqw ZONES



PRELIMINARY
FOR REGULATORY REVIEW ONLY

Engineering Company, P.A.
P.O. BOX 349 BOONE, N.C. 28607
(828) 262-1767
LICENSE NUMBER: 00000000

Municipal Services
P.O. BOX 97 GARNER, N.C. 27529
(919) 772-5593

**RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

**EROSION & SEDIMENTATION CONTROL
PLAN - PHASE 3**

DATE	BY	REV.	DESCRIPTION

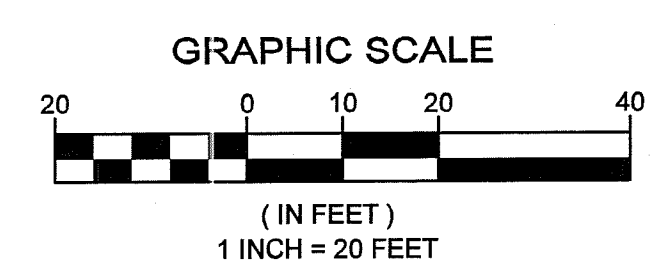
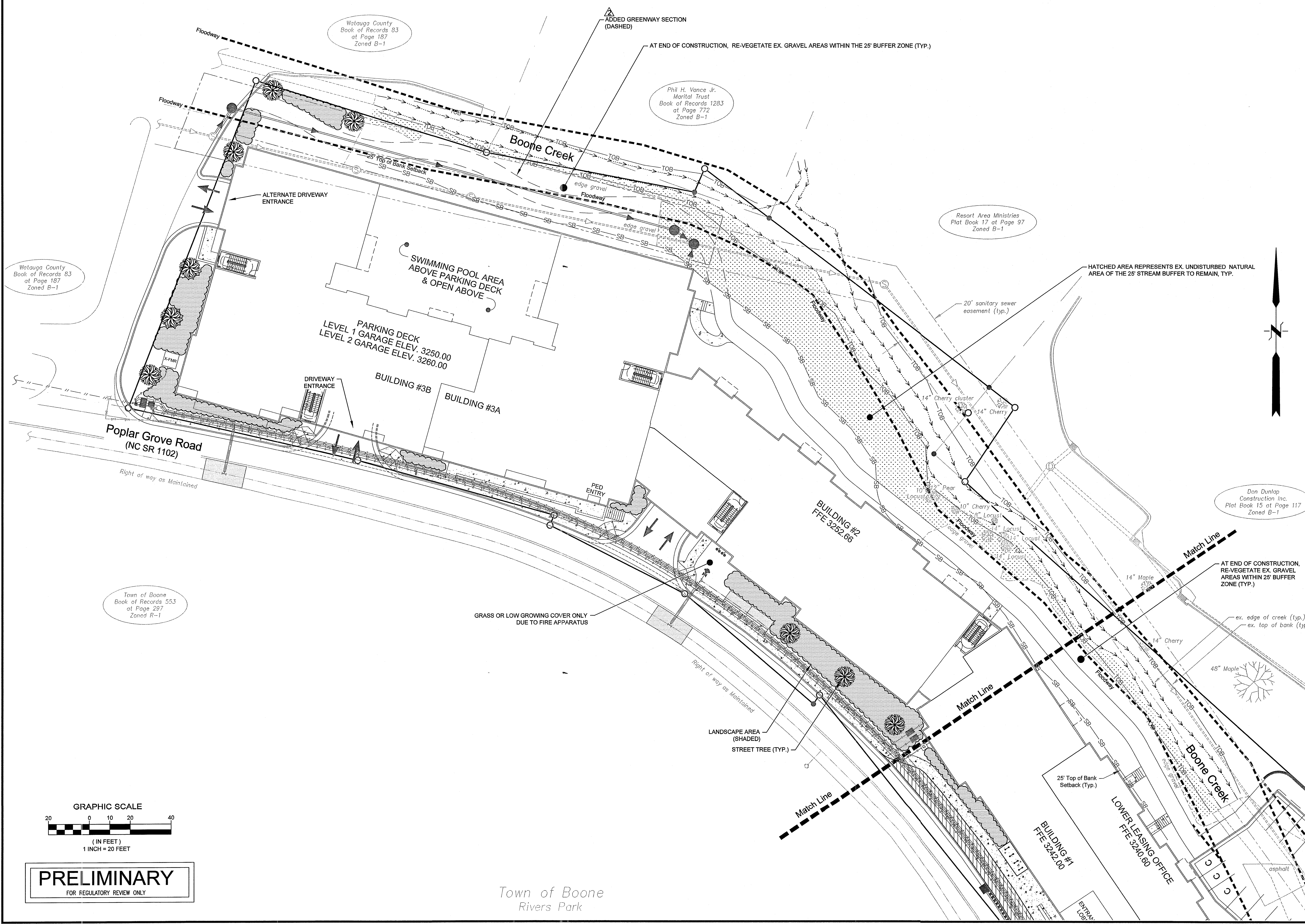
SCALE: 1" = 30'
DATE: 2-25-16
DRWN. BY: EOT
CHKD. BY: AJC
PROJECT NUMBER: B13057.3
DRAWING NO. C-11
SHEET NO. 11 OF 14
Packet Pg. 285

Engineering Company, P.A.
Municipal Services
P.O. BOX 349 BOONE, N.C. 28607
(828) 262-1767
P.O. BOX 97 GARNER, N.C. 27539
(919) 772-5383

**RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

**PRELIMINARY LANDSCAPE PLAN
SHEET 1 OF 2**

REVISIONS TO SURFACE LOT & GREENWAY		DESCRIPTION	
DATE	BY	REV.	
5-23-16	AJC	1	REVISED TO SURFACE LOT & GREENWAY
SCALE: 1" = 20'			
DATE: 2-25-16			
DRWN. BY: EGT			
CHKD. BY: AJC			
PROJECT NUMBER: B13057.3			
DRAWING NO. C-12	SHEET NO. 12 OF 14		Packet Pg. 286



PRELIMINARY
FOR REGULATORY REVIEW ONLY

Town of Boone
Rivers Park



Engineering Company, P.A.

Municipal Services

P.O. BOX 348 BOONE, N.C. 28607
(828) 262-7167
P.O. BOX 97 GARNER, N.C. 27529
(919) 772-5393

**RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

REVISIONS TO SURFACE LOT & GREENWAY		DESCRIPTION	
DATE	BY	REV.	
5-23-16	AJC	1	REVISIONS TO SURFACE LOT & GREENWAY
PROJECT NUMBER			
B13057.3			
DRAWING NO.		SHEET NO.	
C-13		13 OF 14	

Packet Pg. 287

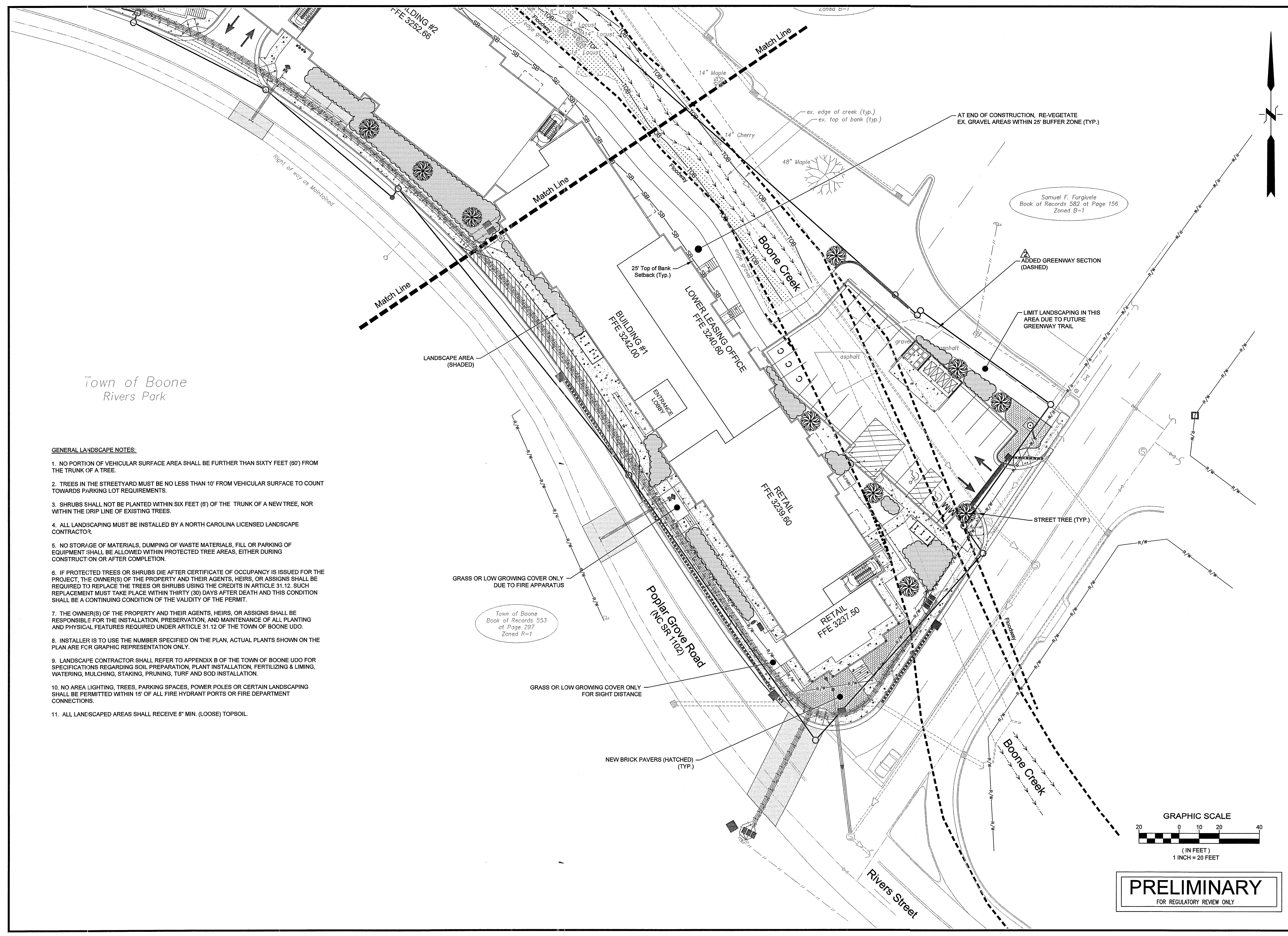
**PRELIMINARY LANDSCAPE PLAN
SHEET 2 OF 2**

SCALE: 1" = 20'
DATE: 2-25-16
DRWN. BY: EGT
CHKD. BY: AJC

PROJECT NUMBER
B13057.3

Packet Pg. 287

Communication: Supplemental Exhibit 5: Rivers Walk Revised Site Plans (Rivers Walk New/Revised Supplemental Information)

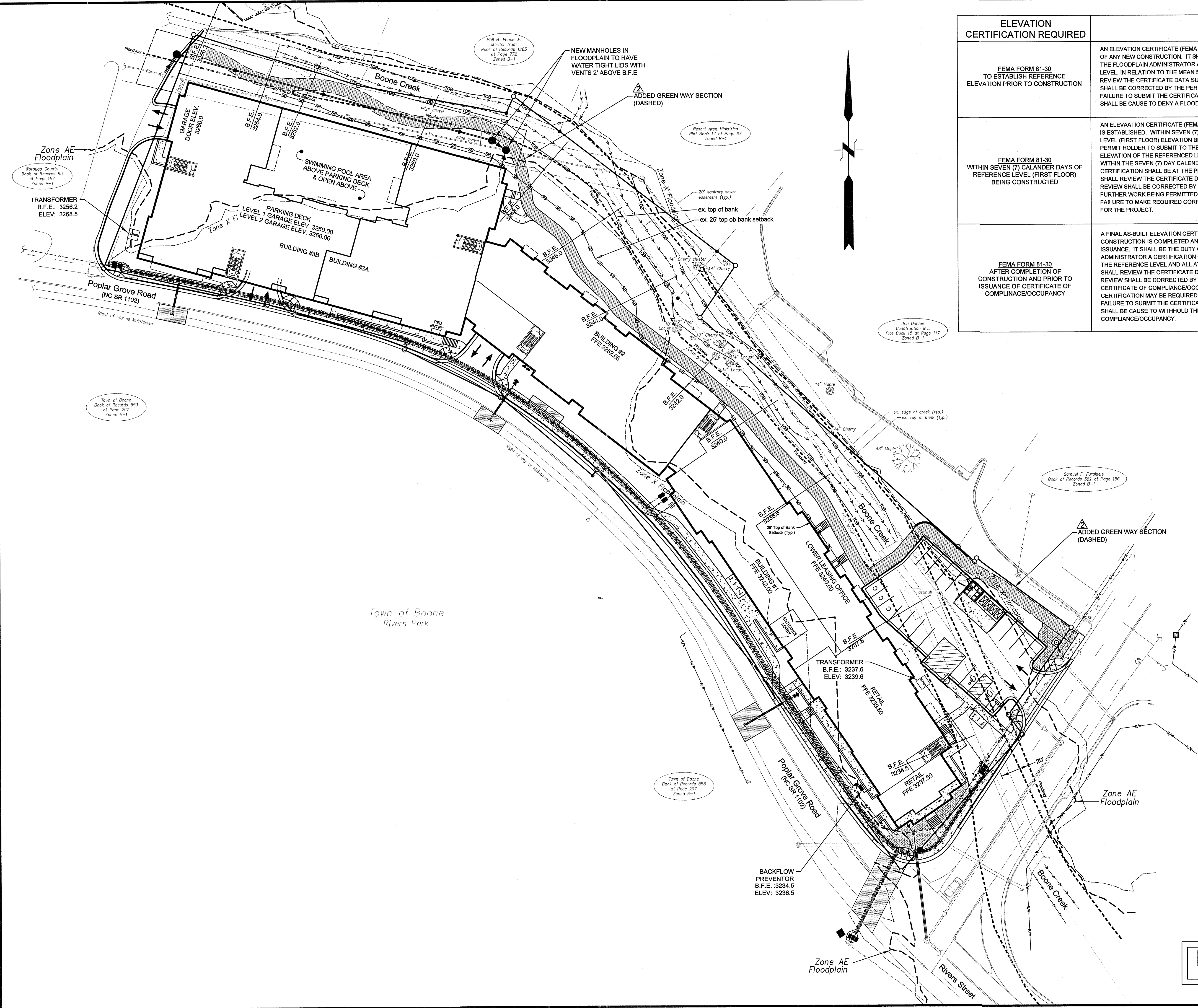


**Town of Boone
Rivers Park**

- GENERAL LANDSCAPE NOTES:**
1. NO PORTION OF VEHICULAR SURFACE AREA SHALL BE FURTHER THAN SIXTY FEET (60') FROM THE TRUNK OF A TREE.
 2. TREES IN THE STREETYARD MUST BE NO LESS THAN 10' FROM VEHICULAR SURFACE TO COUNT TOWARDS PARKING LOT REQUIREMENTS.
 3. SHRUBS SHALL NOT BE PLANTED WITHIN SIX FEET (6') OF THE TRUNK OF A NEW TREE, NOR WITHIN THE DRIP LINE OF EXISTING TREES.
 4. ALL LANDSCAPING MUST BE INSTALLED BY A NORTH CAROLINA LICENSED LANDSCAPE CONTRACTOR.
 5. NO STORAGE OF MATERIALS, DUMPING OF WASTE MATERIALS, FILL OR PARKING OF EQUIPMENT SHALL BE ALLOWED WITHIN PROTECTED TREE AREAS, EITHER DURING CONSTRUCTION OR AFTER COMPLETION.
 6. IF PROTECTED TREES OR SHRUBS DIE AFTER CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE PROJECT, THE OWNER(S) OF THE PROPERTY AND THEIR AGENTS, HEIRS, OR ASSIGNS SHALL BE REQUIRED TO REPLACE THE TREES OR SHRUBS USING THE CREDITS IN ARTICLE 31.12. SUCH REPLACEMENT MUST TAKE PLACE WITHIN THIRTY (30) DAYS AFTER DEATH AND THIS CONDITION SHALL BE A CONTINUING CONDITION OF THE VALIDITY OF THE PERMIT.
 7. THE OWNER(S) OF THE PROPERTY AND THEIR AGENTS, HEIRS, OR ASSIGNS SHALL BE RESPONSIBLE FOR THE INSTALLATION, PRESERVATION, AND MAINTENANCE OF ALL PLANTING AND PHYSICAL FEATURES REQUIRED UNDER ARTICLE 31.12 OF THE TOWN OF BOONE UDO.
 8. INSTALLER IS TO USE THE NUMBER SPECIFIED ON THE PLAN, ACTUAL PLANTS SHOWN ON THE PLAN ARE FOR GRAPHIC REPRESENTATION ONLY.
 9. LANDSCAPE CONTRACTOR SHALL REFER TO APPENDIX B OF THE TOWN OF BOONE UDO FOR SPECIFICATIONS REGARDING SOIL PREPARATION, PLANT INSTALLATION, FERTILIZING & LIMING, WATERING, MULCHING, STAKING, PRUNING, TURF AND SOD INSTALLATION.
 10. NO AREA LIGHTING, TREES, PARKING SPACES, POWER POLES OR CERTAIN LANDSCAPING SHALL BE PERMITTED WITHIN 15' OF ALL FIRE HYDRANT PORTS OR FIRE DEPARTMENT CONNECTIONS.
 11. ALL LANDSCAPED AREAS SHALL RECEIVE 8" MIN. (LOOSE) TOPSOIL.

Town of Boone
Book of Records 553
at Page 297
Zoned R-1

Samuel F. Furguele
Book of Records 582 at Page 156
Zoned B-1



ELEVATION CERTIFICATION REQUIRED	DESCRIPTION
FEMA FORM 81-30 TO ESTABLISH REFERENCE ELEVATION PRIOR TO CONSTRUCTION	AN ELEVATION CERTIFICATE (FEMA FORM 81-31) IS REQUIRED PRIOR TO THE ACTUAL START OF ANY NEW CONSTRUCTION. IT SHALL BE THE DUTY OF THE PERMIT HOLDER TO SUBMIT TO THE FLOODPLAIN ADMINISTRATOR A CERTIFICATION OF THE ELEVATION OF THE REFERENCE LEVEL, IN RELATION TO THE MEAN SEA LEVEL. THE FLOODPLAIN ADMINISTRATOR SHALL REVIEW THE CERTIFICATE DATA SUBMITTED. DEFICIENCIES DETECTED BY SUCH REVIEW SHALL BE CORRECTED BY THE PERMIT HOLDER PRIOR TO THE BEGINNING OF CONSTRUCTION. FAILURE TO SUBMIT THE CERTIFICATION OR FAILURE TO MAKE REQUIRED CORRECTIONS SHALL BE CAUSE TO DENY A FLOODPLAIN DEVELOPMENT PERMIT.
FEMA FORM 81-30 WITHIN SEVEN (7) CALANDER DAYS OF REFERENCE LEVEL (FIRST FLOOR) BEING CONSTRUCTED	AN ELEVAATION CERTIFICATE (FEMA FORM 81-31) IS REQUIRED AFTER THE REFERENCE LEVEL IS ESTABLISHED. WITHIN SEVEN (7) CALENDAR DAYS OF ESTABLISHMENT OF THE REFERENCE LEVEL (FIRST FLOOR) ELEVATION BEING CONSTRUCTED, IT SHALL BE THE DUTY OF THE PERMIT HOLDER TO SUBMIT TO THE FLOODPLAIN ADMINISTRATOR A CERTIFICATION OF THE ELEVATION OF THE REFERENCED LEVEL, IN RELATION TO MEAN SEA LEVEL. ANY WORK DONE WITHIN THE SEVEN (7) DAY CALENDAR PERIOD AND PRIOR TO SUBMISSION OF THE CERTIFICATION SHALL BE AT THE PERMIT HOLDER'S RISK. THE FLOODPLAIN ADMINISTRATOR SHALL REVIEW THE CERTIFICATE DATA SUBMITTED. DEFICIENCIES DETECTED BY SUCH REVIEW SHALL BE CORRECTED BY THE PERMIT HOLDER IMMEDIATELY AND PRIOR TO FURTHER WORK BEING PERMITTED TO PROCEED. FAILURE TO SUBMIT THE CERTIFICATION OR FAILURE TO MAKE REQUIRED CORRECTIONS SHALL BE CAUSE TO ISSUE A STOP-WORK ORDER FOR THE PROJECT.
FEMA FORM 81-30 AFTER COMPLETION OF CONSTRUCTION AND PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLINACE/OCCUPANCY	A FINAL AS-BUILT ELEVATION CERTIFICATE (FEMA FORM 81-31) IS REQUIRED AFTER CONSTRUCTION IS COMPLETED AND PRIOR TO CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUANCE. IT SHALL BE THE DUTY OF THE PERMIT HOLDER TO SUBMIT TO THE FLOODPLAIN ADMINISTRATOR A CERTIFICATION OF FINAL AS-BUILT CONSTRUCTION OF THE ELEVATION OF THE REFERENCE LEVEL AND ALL ATTENDANT UTILITIES. THE FLOODPLAIN ADMINISTRATOR SHALL REVIEW THE CERTIFICATE DATA SUBMITTED. DEFICIENCIES DETECTED BY SUCH REVIEW SHALL BE CORRECTED BY THE PERMIT HOLDER IMMEDIATELY AND PRIOR TO CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUANCE. IN SOME INSTANCES, ANOTHER CERTIFICATION MAY BE REQUIRED TO CERTIFY CORRECTED AS-BUILT CONSTRUCTION. FAILURE TO SUBMIT THE CERTIFICATION OR FAILURE TO MAKE REQUIRED CORRECTIONS SHALL BE CAUSE TO WITHHOLD THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE/OCCUPANCY.

NOTES:

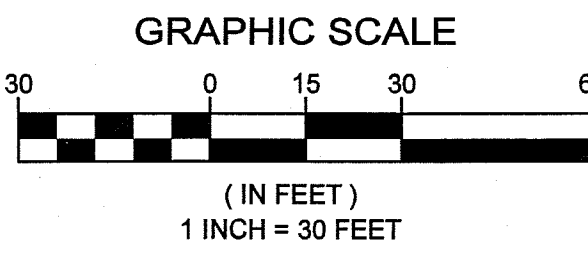
1. ALL UTILITIES SHALL BE LOCATED A MINIMUM OF 2' ABOVE BASE FLOOD ELEVATION.
2. HVAC EQUIPMENT SHALL BE LOCATED ON THE ROOF OF THE PROPOSED BUILDINGS.
3. THE FINISHED FLOOR OF THE PROPOSED BUILDINGS SHALL AT LEAST 2' ABOVE THE BASE FLOOD ELEVATION. INCIDENTAL AREAS NOT 2' ABOVE BASE FLOOD ELEVATIONS SHALL BE FLOOD PROOFED.
4. THE CONTRACTOR IS REQUIRED TO PROVIDE THE THREE REQUIRED FLOOD ELEVATIONS FOR THE PROPOSED BUILDING: PRE-CONSTRUCTION, AFTER FIRST FLOOR IS ESTABLISHED, AND FINAL CONSTRUCTION

PROJECT DESCRIPTION:

REDEVELOPMENT OF THE SITE AND CONSTRUCTION OF A NEW MULTI-BUILDING MIXED USE PROJECT.

BASE FLOOD ELEVATION:

1. THE BASE FLOOD ELEVATIONS VARY FOR THE BUILDINGS. SEE PLAN. ELEVATION TAKEN FROM THE NORTH CAROLINA FLOOD MAPPING PROGRAM.
2. ALL FINISHED FLOOR ARE PLANNED TO BE A MINIMUM OF 2 FEET ABOVE BASE FLOOD ELEVATION. ANY INCIDENTAL AREAS NOT 2 FEET ABOVE BASE FLOOD ELEVATION WILL BE FLOOD PROOFED. ALL REQUIREMENT OF THE TOWN OF BOONE'S FLOOD DAMAGE PREVENTION ORDINANCE WILL BE MET.



PRELIMINARY
FOR REGULATORY REVIEW ONLY

McKinley Boone
Harrod/AP, LLC

Engineering
Company, P.A.

Municipal
Services

P.O. BOX 349 BOONE, N.C. 28607
(828) 262-1767
LICENSE NUMBER: C-0261

WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

				REVISIONS TO SURFACE LOT & GREENWAY		DESCRIPTION
		5-23-16	AJC	DATE	BY	REV.
SPECIAL FLOOD HAZARD AREA PLAN						
SCALE: 1" = 30'						
DATE: 2-25-16						
DRWN. BY: EGT						
CHKD. BY: AJC						
PROJECT NUMBER						
B13057.3						
DRAWING NO.			SHEET NO.			
C-14			14 OF 14			



Date Received
May 23, 2016

May 23, 2016

Mr. Bill Bailey, Director
Town of Boone Planning and Inspections
680 W. King Street, Suite C
Boone, NC 28607

Re: Rivers Walk Planned Development Submittal

Dear Mr. Bailey:

See below for our responses to the comments and requests made at the Town Council meeting on Thursday, April 21, 2016. We have made significant efforts to make accommodations in our design and to correct misconceptions about the market and project.

- Greenway – It was requested that we connect the Greenway from the back of building 3 to the sidewalk on Poplar Grove Road. We are willing to comply with this request, but will require an easement from the County to do this properly and to provide for ADA compliant slopes. If Council desires this connection, we will make a request to the County for an easement to construct a 5' sidewalk from the Greenway to Poplar Grove Road. In the event that the County complies with this request, then we shall construct the sidewalk extension.
- Unit Mix – There was much discussion about the appropriateness of the project's unit mix. While we feel that the proposed unit mix is adequate to serve the Boone and Appalachian State market, we are willing to adjust the unit mix where possible while not impacting total bed count. As such, we have identified 7 four bedroom units that can be converted into 14 two bedroom units resulting in the following unit mix:
 - 4 – Studios
 - 1 – One Bedroom Units
 - 53 (versus 39 previously) – Two Bedroom Units
 - 3 – Three Bedroom Units
 - 65 (versus 72 previously) – Four Bedroom Units

If this unit mix is preferred by Council, we are glad to comply. This unit mix, and the prior unit mix, can adequately serve both a student and young professional market.

- Market Occupancy – There was much misinformation communicated about the current occupancy of the Boone rental market. According to our 3rd party market analytics provider, Axiometrics, all residential properties tracked by them are 100% occupied with the exception of the Cottages of Boone which is 89% occupied. See Exhibit A for the actual data. A large percentage of the units in these properties is made up of three and four bedroom units which diffuses the misconception that these unit types do not rent well. Furthermore, the largest single market to serve in Boone is the Appalachian State undergraduate market which has grown an average of 1.9% per year since 2008 and is expected to grow another 5.1% by 2019 according to Axiometrics. It is simply incorrect to purport that this market is over served with an abundance of supply when, in reality, there is not enough supply to support this growth.
- Parking – Concerns were raised about the loss in 20 parking spaces from the approved concept to the current concept. This loss in parking resulted from a reduction in overall deck height to remove

the ramp between parking levels, allow for a higher finished floor elevation for the lower deck level to reduce excavation along the creek, and to provide for the potential to access the 2nd level of the deck from the County's parking lot. Even with the loss of these 20 spaces, we feel that the parking ratio is adequate given our experience in parking ratios of similar projects in similar locations and markets such as Boone. As a compromise, we have committed to require our residents to show proof of parking arrangements – either on site or elsewhere - in the event that they have a car and desire to live with us. This requirement is the ultimate governor on parking and will ensure that all residents have a legitimate parking contract somewhere.

- Traffic – Much discussion centered around the additional traffic that our project would create in downtown Boone. This is a misunderstanding – infill development helps to relieve traffic congestion by supporting walkability and alternate transportation modes. In essence, we are providing more parking spaces for those who already frequent downtown Boone and the Appalachian State campus from outlying properties where walking or biking is not a reasonable alternative. Additionally, with an Appalcart stop just outside the property and our proximity to downtown and the Appalachian State campus, there is very little need for a resident to use a car from our site for daily activities.
- Façade and Architectural Design – We have modified our façade to be more in keeping with the originally approved plans. A few notable elements have been returned to the building elevations – the clock tower on the Water Street façade, arched windows where possible on the Poplar Grove Road façade, and a greater diversity of materials and colors. While we cannot exactly match the previous facades due to the relocation of commercial to be closer to the Water Street and Poplar Grove intersection, we have attempted to represent the previous design as closely as possible. We are open to further refinements and color modifications if the Council desires. See the attached elevation exhibit which shows the new facades versus those of the previously approved project.
- Building Height – As previously discussed - in order to provide for more adequate commercial and residential ceiling heights, to provide for a parapet to improve storm water management and to screen HVAC equipment, and to allow overhead elevator equipment to penetrate the roof line so that elevators can reach all residential levels, the Project requires greater building height than that approved on February 23, 2015 where the project was permitted to have a 40' building height for all buildings. Our previously requested building heights by building with this planned development submittal - as measured from sidewalk/entrance to each building to the top of the parapet - were:
 - Building 1A – 40'-0"
 - Building 1B – 48'-7 1/2"
 - Building 1C – 46'-2 5/8"
 - Building 2 – 46'-10 3/4"
 - Building 3A – 49'-6 7/8"
 - Building 3B – 51'-2 3/4"

Since the April 21, 2016 Town Council meeting, we have revisited our design and are able to reduce these requested heights considerably by reducing our floor truss depths and removing the pool. The revised building heights are as follows:

- Building 1A – 38'- 10 3/4"
- Building 1B – 46'-11 1/2"
- Building 1C – 44'- 6 5/8"
- Building 2 – 44'- 4 3/4"
- Building 3A – 46'- 11"
- Building 3B – 48'- 3/4"

In either case, the majority of the height relief requested is related to the parapet and elevator equipment room. Furthermore, one would not be able to reasonably discern a height difference between the previously approved project and these proposed building heights in looking at the building from ground level. Additionally, the slight height addition helps to improve building sight lines from the higher elevations on King Street. Without the additional height and parapet, the roof mounted mechanical equipment will be very visible and unsightly from the higher elevations.

- Commercial – The Planning Commission requested that we dedicate the surface parking lot to commercial use (along with some visitor and prospective resident parking) and leave just 5 commercial parking spaces in the parking deck. If this change is also preferred by Council, then our commercial area is reduced to 16,668 from 20,443 SF. This is simply a clarification in the event that Council desires this change.
- Lighting Plan – Council commented that they wanted sight lighting to be sufficient. These details will be further defined with the engineered site plan submittal, as is typical, where the project will have to comply with the Town's sight lighting standards.
- Tax benefit – One item that has not received much attention in the various meetings and discussions, is the additional property tax that the project will generate over the current state. The project stands to generate \$150,000 annually above and beyond current property taxes.

These proposed changes are meaningful accommodations to the previous design and demonstrate our willingness to be responsive to the Council's requests. The proposed project is simply a better building in all respects versus the previously approved project. It would be extremely unfortunate if Council did not approve these project improvements which would result in a lesser building being constructed.

Sincerely,



Jeff Githens
President



Exhibit A

Property Name	Period	Occupancy	Total Beds	Total Units	Year Built	Distance to Campus	Address	City	ST	Zip	Property S	Property Ty	Building L	Manager		
494 Lofts	Apr-16	100%	29	25	2014	0.0	494 W Kings St	Boone	NC	28607	Stabilized	Student H	3	The Winkler Organization		
Amberleigh Way	Apr-16	100%	41	21	1985	0.9	147 Ivy Dr	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Appalachian Manor	Apr-16	100%	64	16	2009	0.0	287 Hardin St	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Boone Hall Apartment	Apr-16	100%	40	10	2009	0.1	138 S Water St	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Campus Pointe	Apr-16	100%	45	15	1985	0.0	120 Faculty St	Boone	NC	28607	Stabilized	Student H	3			
Cardinal Apartments I	Apr-16	100%	59	15	1997	1.6	2224 Blowing Rock Rd	Boone	NC	28607	Stabilized	Student H	3	The Winkler Organization		
Cardinal Apartments II	Apr-16	100%	8	8	1997	1.6	2224 Blowing Rock Rd	Boone	NC	28607	Stabilized	Student H	1	The Winkler Organization		
Cottages of Boone	Apr-16	89%	894	202	2013	0.7	615 Fallview Lane	Boone	NC	28607	Stabilized	Student H	2	Capstone Collegiate Communiti		
East Village Apartmen	Apr-16	100%	72	18	2005	1.1	199 Boone Heights Dr	Boone	NC	28607	Stabilized	Student H	3	The Winkler Organization		
Forrest Edge Townhon	Apr-16	100%	84	21	2011	0.4	154 Tulip Tree Ln	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Highland Crossing	Apr-16	100%	204	68	2013	1.1	100 Crossing Lane	Boone	NC	28607	Stabilized	Student H	4	Kuester Development Group		
Holmes View Manor	Apr-16	100%	44	11	2010	0.5	185 Faculty St	Boone	NC	28607	Stabilized	Student H	3	The Winkler Organization		
Mountaineer Village I	Apr-16	100%	576	192	2004	1.7	517 Yosef Dr	Boone	NC	28607	Stabilized	Student H	3	10 Federal Finance		
Ridgeview Townhome	Apr-16	100%	12	4	2003	0.7	190 Ridge View Dr	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Steeplechase on Hardi	Apr-16	100%	40	10	1992	0.0	311 Hardin St	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Steeplechase on Howa	Apr-16	100%	40	10	1992	0.0	784 Howard St	Boone	NC	28607	Stabilized	Student H	3	The Winkler Organization		
Steeplechase on Pine	Apr-16	100%	16	4	1993	0.0	143 Pine St	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Steeplechase on Straig	Apr-16	100%	42	12	1996	0.3	135 Straight St	Boone	NC	28607	Stabilized	Student H	1	The Winkler Organization		
Steeplechase on Woo	Apr-16	100%	134	36	1995	0.4	190 Wood Cir	Boone	NC	28607	Stabilized	Student H	3	The Winkler Organization		
Studio West	Apr-16	99%	120	120	1975	0.5	125 Graduate Lane	Boone	NC	28607	Stabilized	Student H	3	10 Federal Finance		
University Highlands	Apr-16	100%	768	240	2000	0.5	289 Ambling Way	Boone	NC	28607	Stabilized	Student H	3	Privately Managed		
Village of Meadowvie	Apr-16	100%	506	204	2006	1.4	304 Madison Ave	Boone	NC	28607	Stabilized	Student H	3	10 Federal Finance		
Vineyard Apartments	Apr-16	100%	84	24	1989	0.4	575 Queen St	Boone	NC	28607	Stabilized	Student H	1	The Winkler Organization		
Wilcox Warehouse Lof	Apr-16	100%	63	25	2008	0.1	151 Howard St	Boone	NC	28607	Stabilized	Student H	2	The Winkler Organization		
Winkler Adams Apartn	Apr-16	100%	30	15	1988	0.0	201 Brown St	Boone	NC	28607	Stabilized	Student H	3	The Winkler Organization		

Mixed Use Development

Boone, North Carolina

Town of Boone
Planning & Inspections

Date Received
May 23, 2016



Mixed Use Development

Boone, North Carolina



Mixed Use Development

Boone, North Carolina



Mixed Use Development

Boone, North Carolina



Mixed Use Development

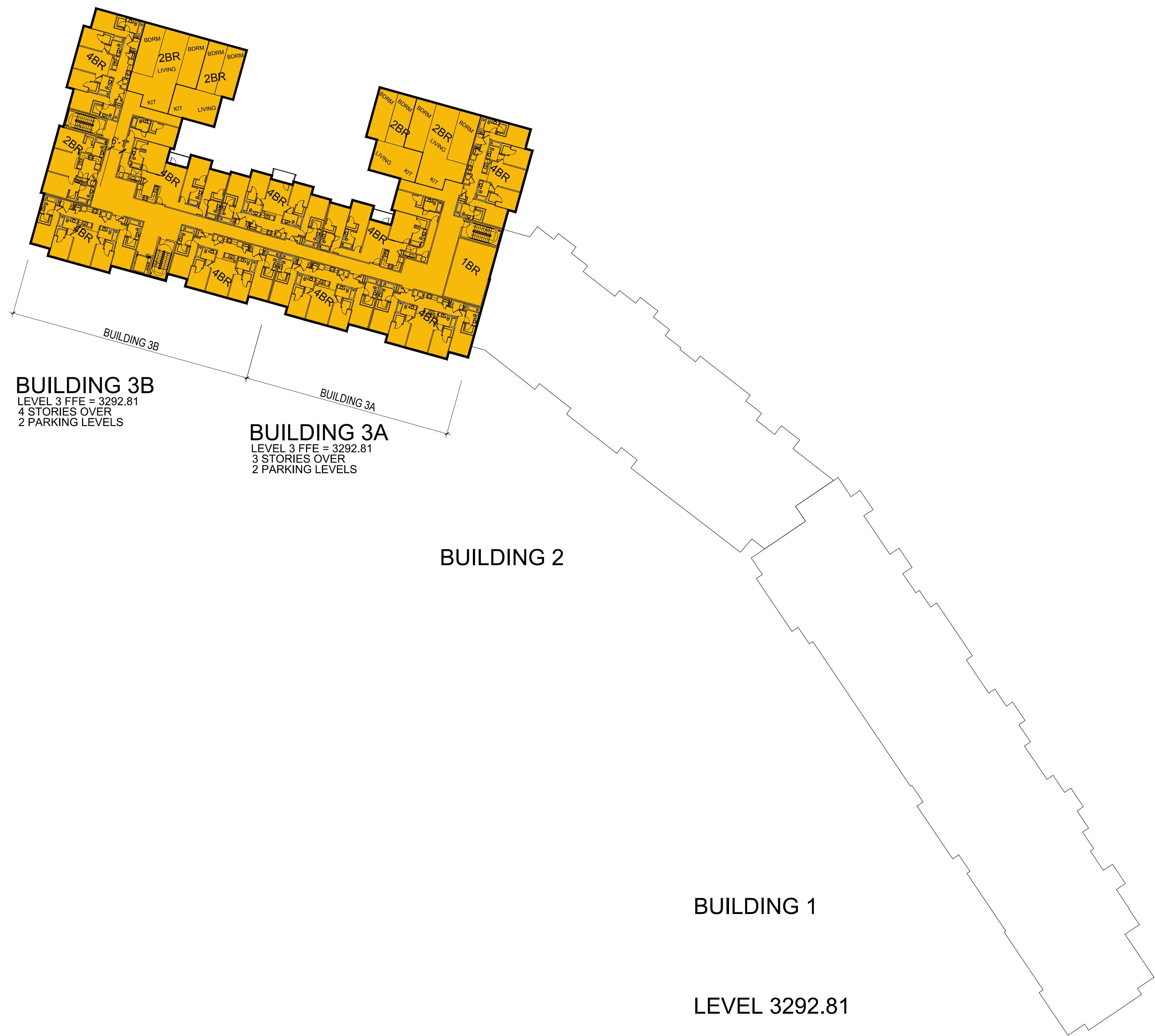
Boone, North Carolina



Communication: Supplemental Exhibit 7: Revised Building Layout and Building Elevation Information (Rivers Walk New/Revised Supplemental Information)

Mixed Use Development

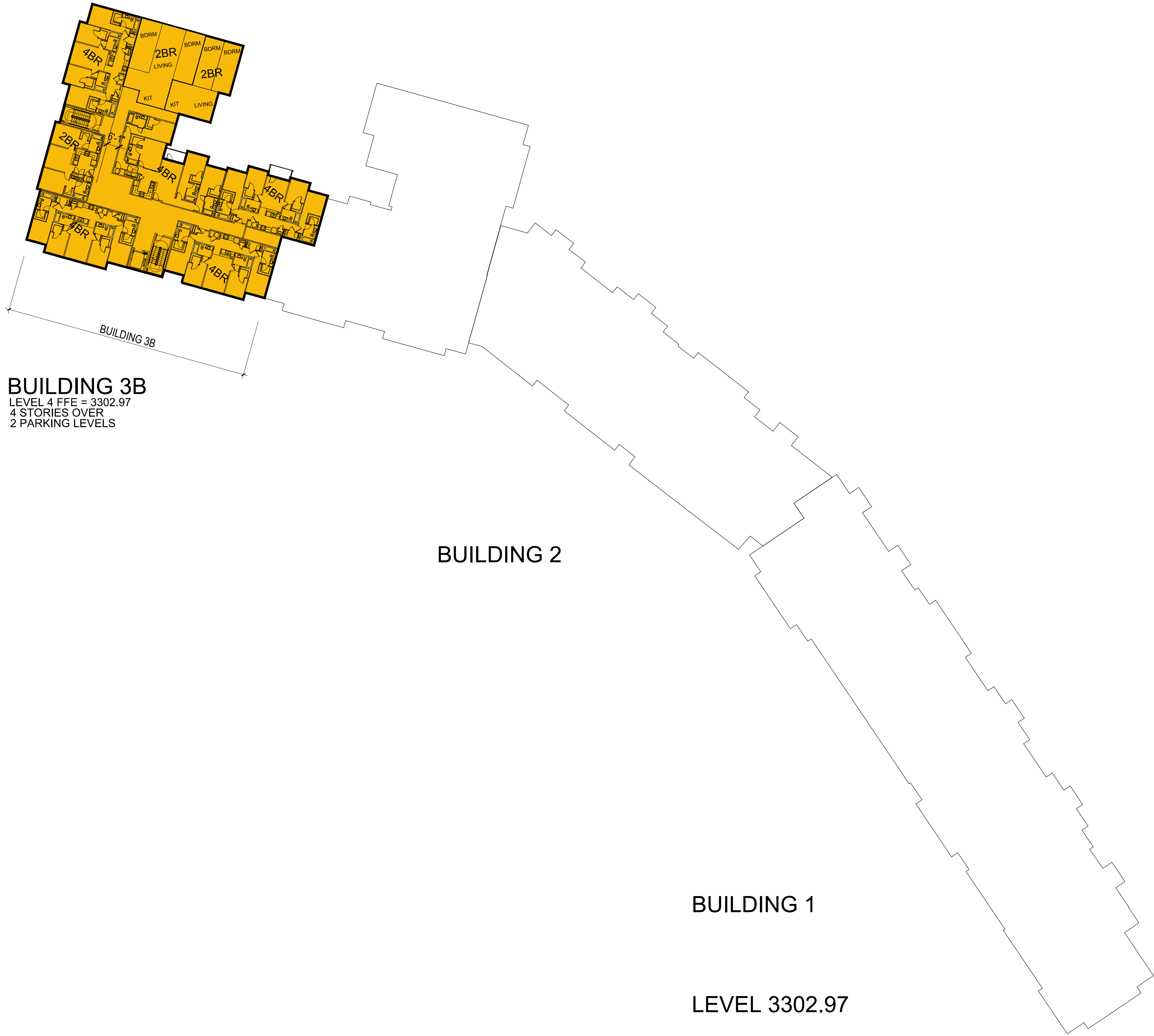
Boone, North Carolina



SITE PLAN
0' 10' 20' 50'

Mixed Use Development

Boone, North Carolina

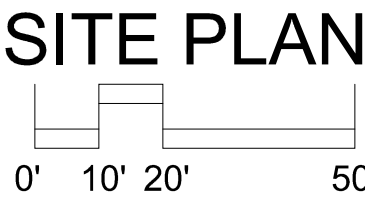


BUILDING 3B
LEVEL 4 FFE = 3302.97
4 STORIES OVER
2 PARKING LEVELS

BUILDING 2

BUILDING 1

LEVEL 3302.97

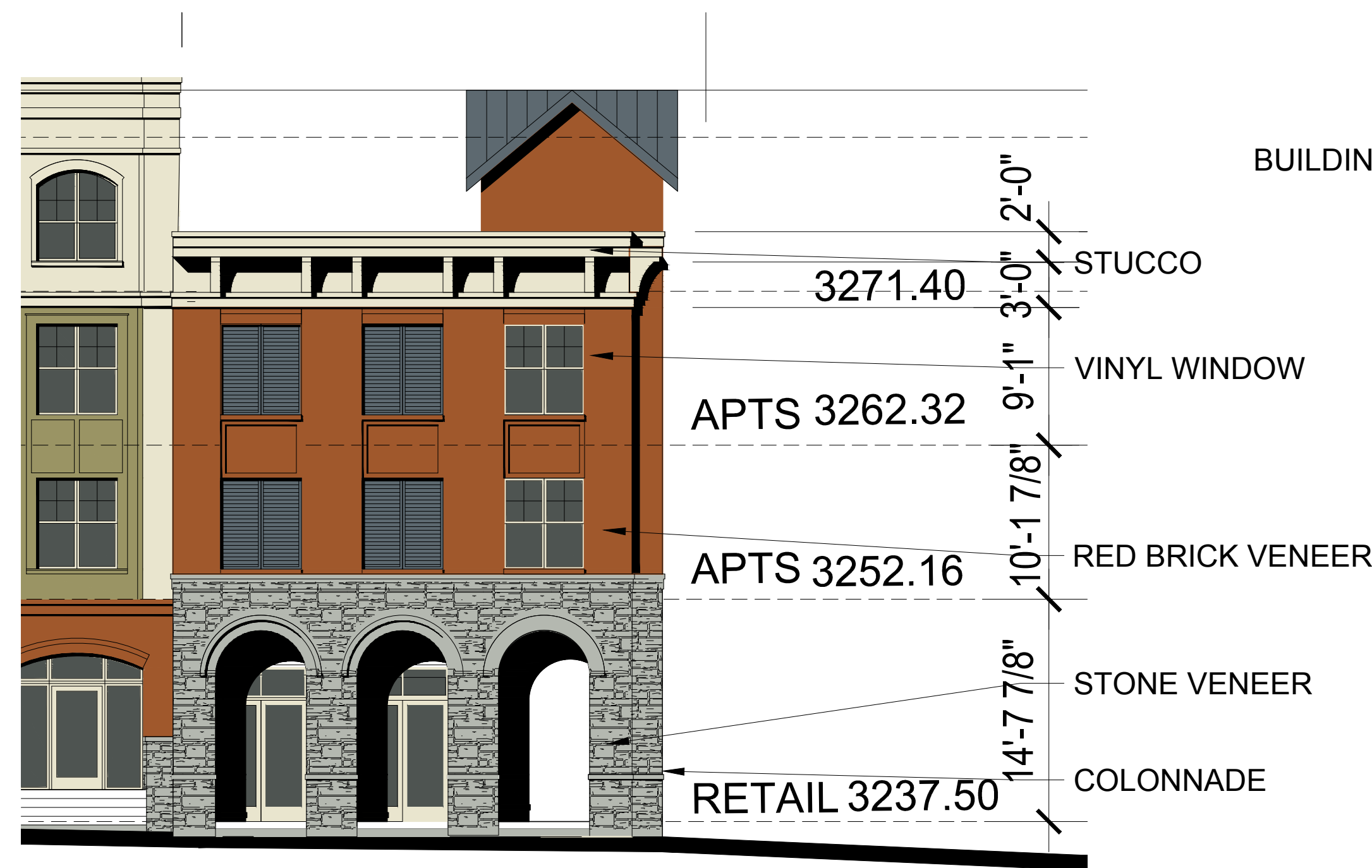


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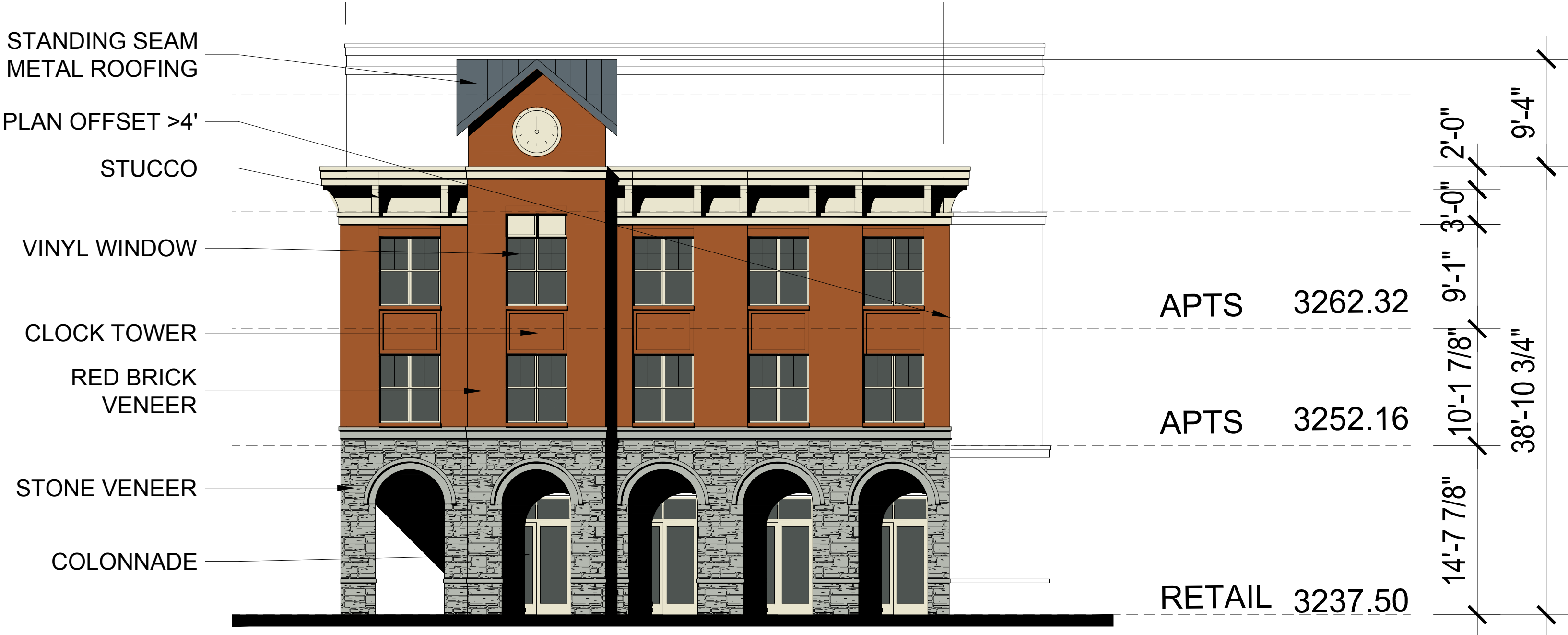
Boone, North Carolina



BUILDING 1B
POPLAR GROVE ROAD FACADE



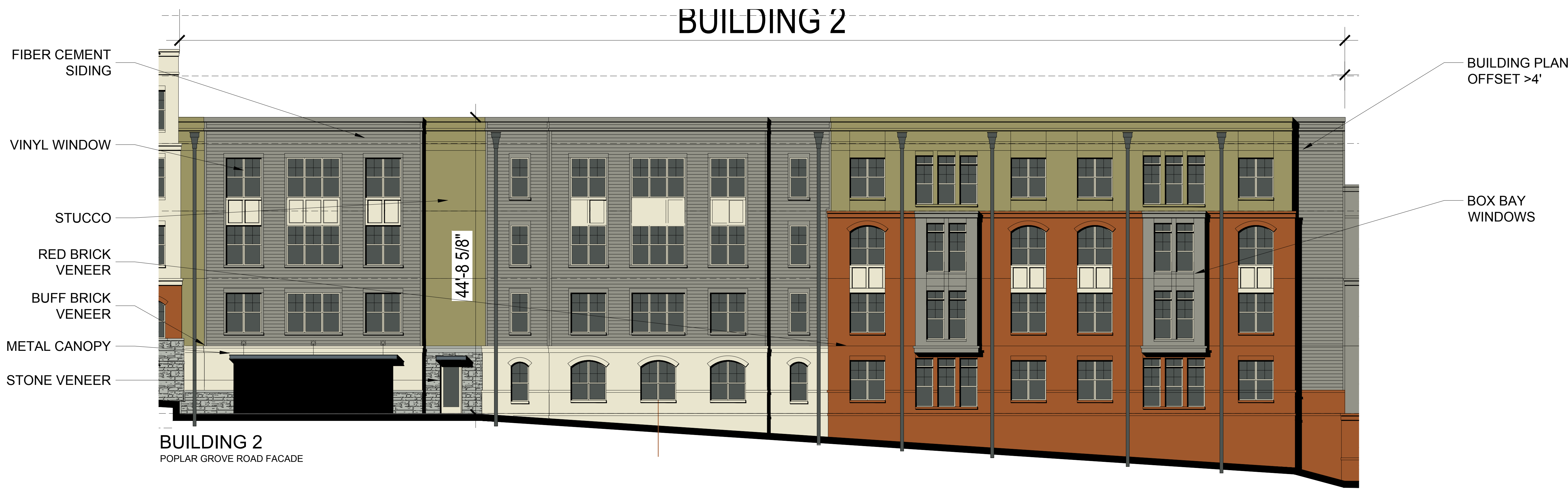
BUILDING 1A
POPLAR GROVE ROAD FACADE



BUILDING 1A
WATER STREET FACADE

Mixed Use Development

Boone, North Carolina



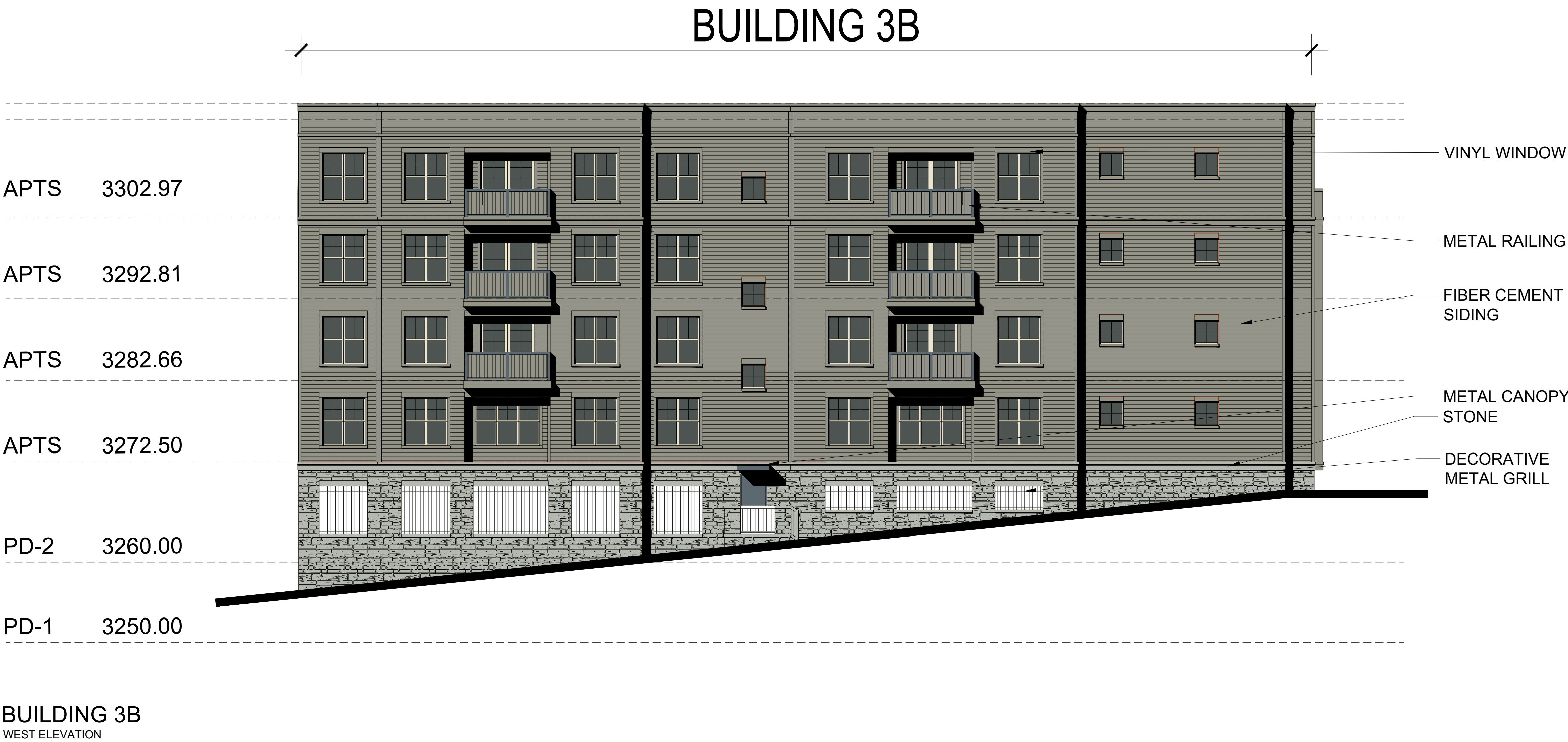
Mixed Use Development

Boone, North Carolina



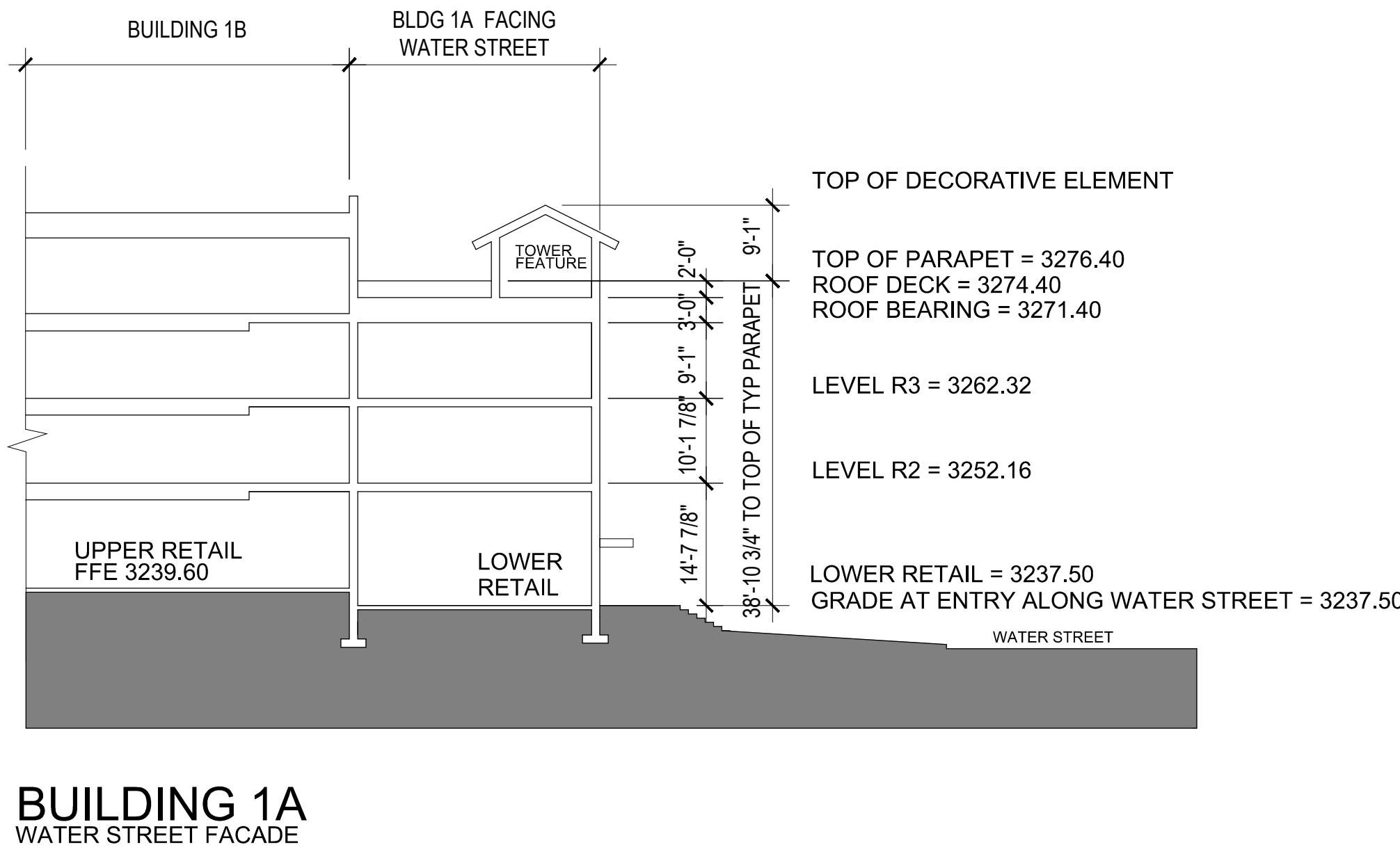
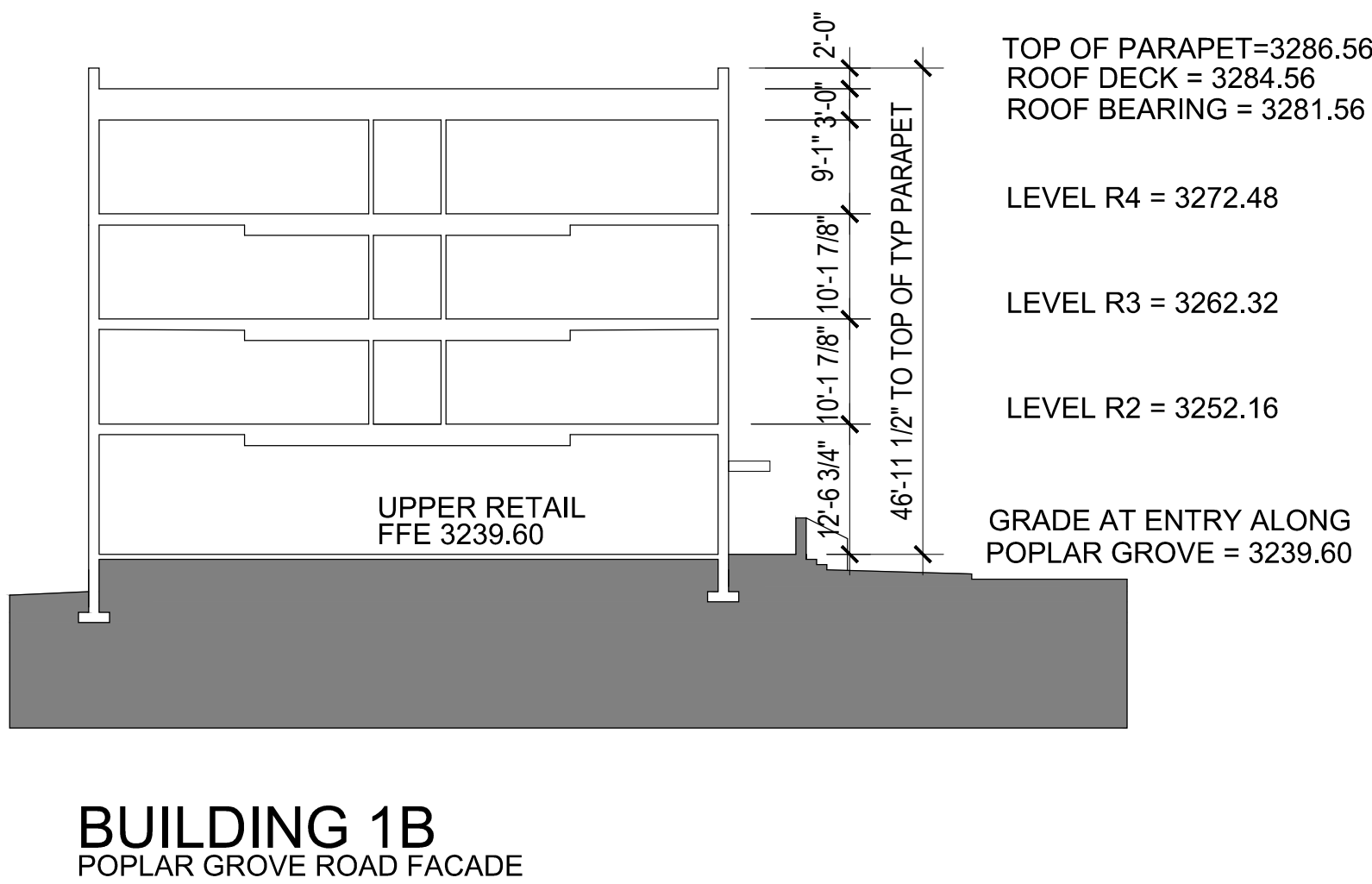
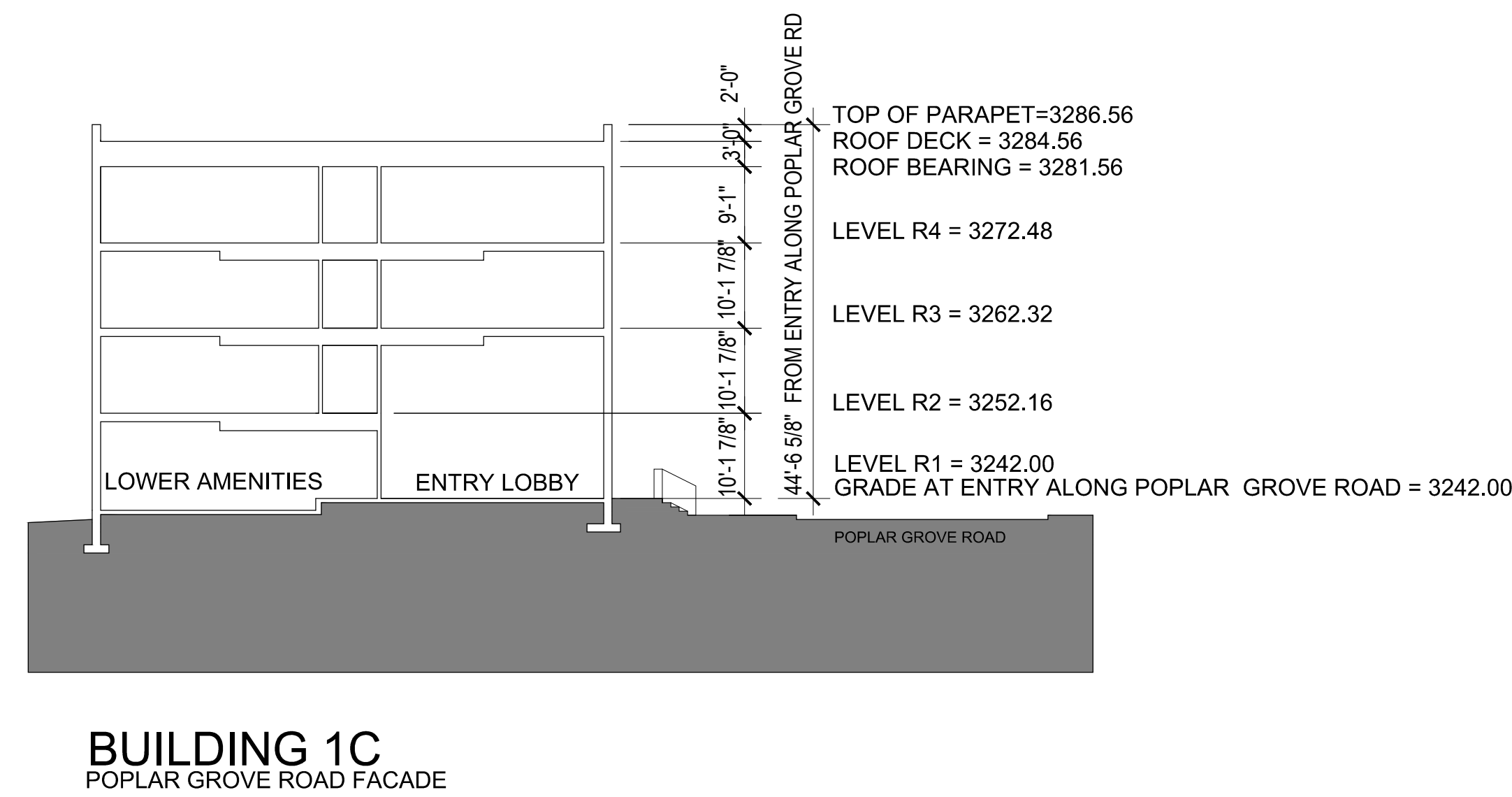
Mixed Use Development

Boone, North Carolina

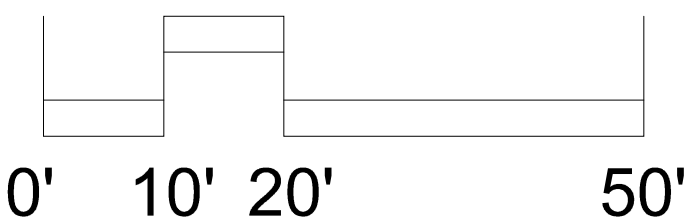


Mixed Use Development

Boone, North Carolina

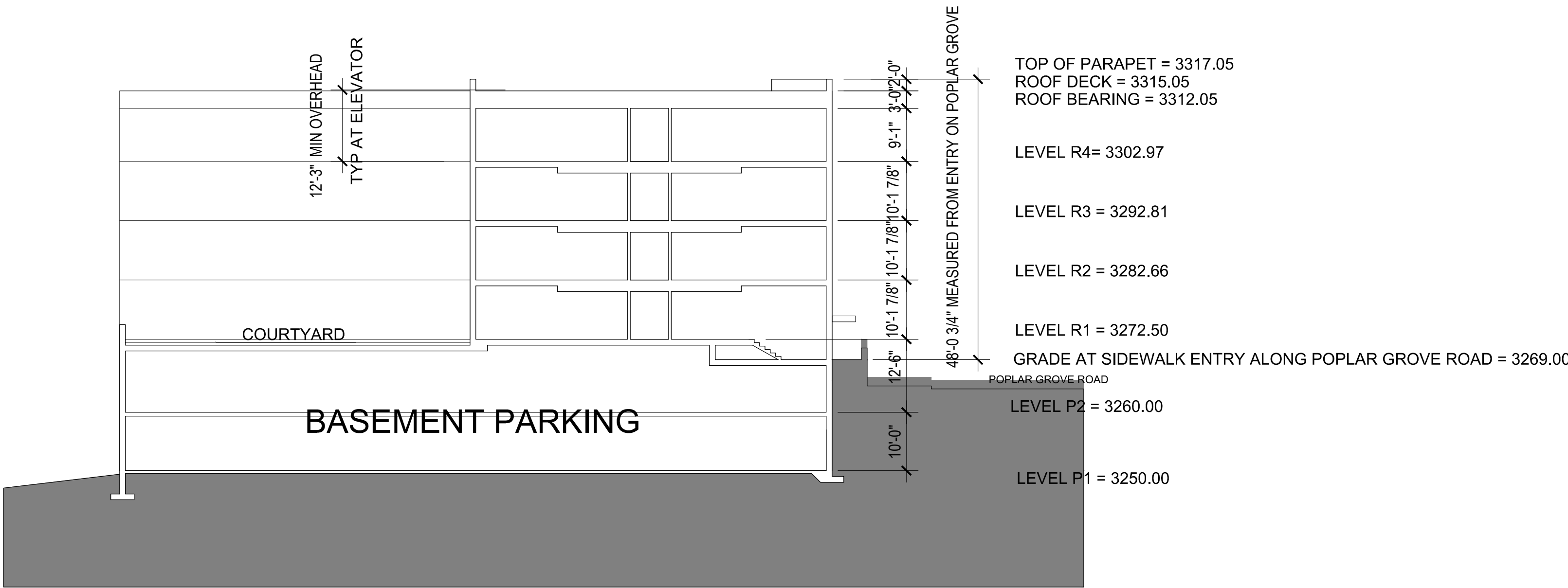


BUILDING SECTIONS

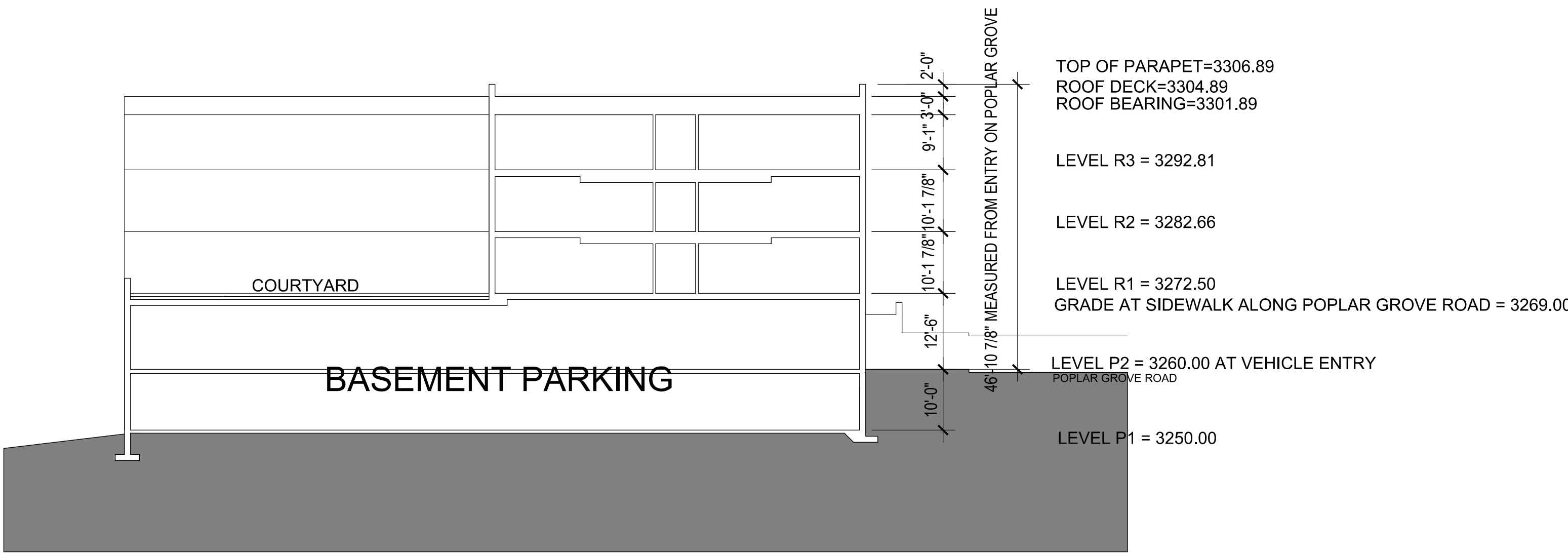


Mixed Use Development

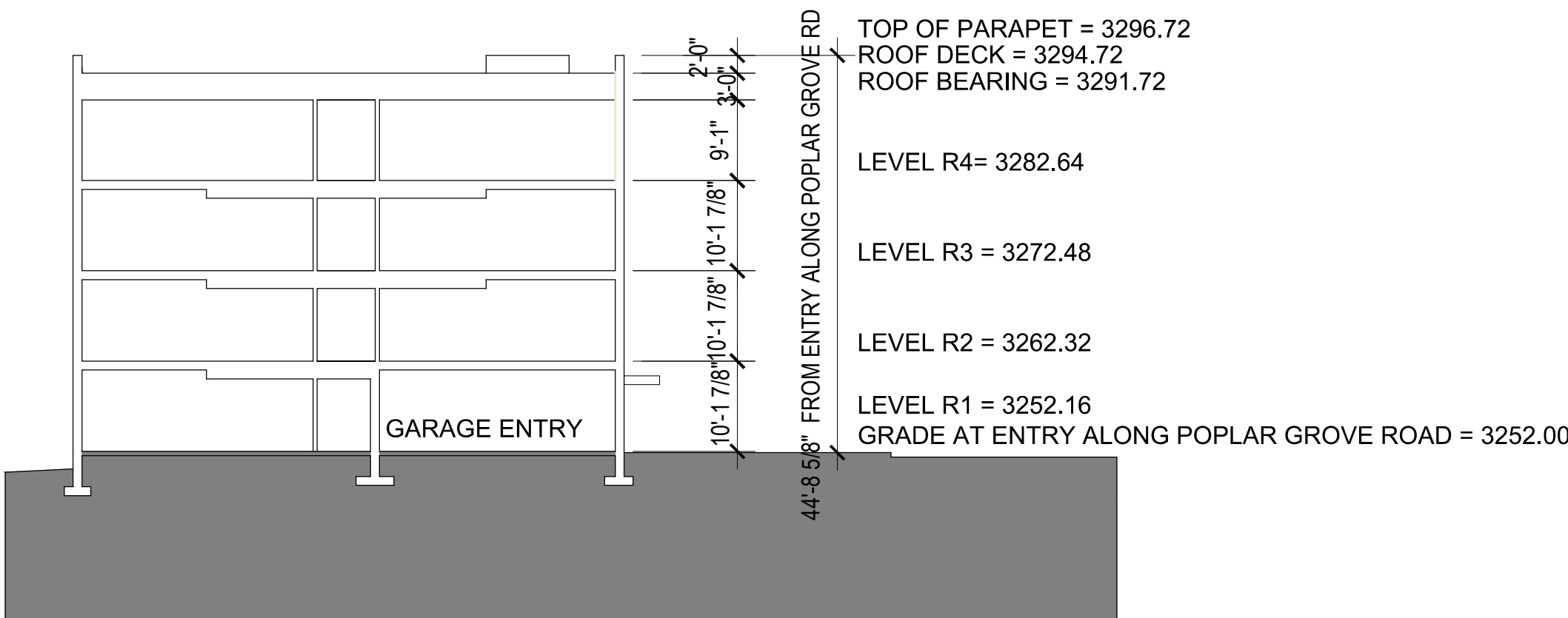
Boone, North Carolina



BUILDING 3B
WEST END - 4 LEVEL PORTION

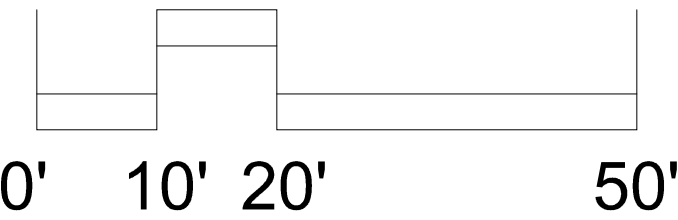


BUILDING 3A
EAST END - 3 LEVEL PORTION



BUILDING 2
POPLAR GROVE ROAD FACADE

BUILDING SECTIONS



Mixed Use Development

Boone, North Carolina

GLAZING CALCULATIONS

PER UNIFIED DEVELOPMENT ORDINANCE 15.11.02

WATER STREET FACADE
PRIMARY STREET

AREA OF LEVEL 1 FACADE AT BUILDING 1A= 642 SF
REQUIRED GLAZING 60% OF FACADE = 385 SF
GLAZING PROPOSED = MIN 385 SF

***THE MINIMUM GLAZING REQUIREMENT IS PROVIDED AT THE RETAIL STOREFRONT WALL WHICH IS BEHIND THE ARCADE AT LEVEL 1.

***FIRST FLOOR STREET LEVEL FACADE AREA IS MEASURED FROM FFE OF EACH SECTION OF BUILDING TO 12' AFF OR THE FLOOR LEVEL ABOVE, WHICHEVER IS LESS.

GLAZING CALCULATIONS

PER UNIFIED DEVELOPMENT ORDINANCE 15.11.02

POPLAR GROVE ROAD FACADE
NON-PRIMARY STREET

AREA OF LEVEL 1 FACADE AT BUILDING 1A= 385 SF
AREA OF LEVEL 1 FACADE AT BUILDING 1B= 1572 SF
AREA OF LEVEL 1 FACADE AT BUILDING 1C= 1493 SF
AREA OF LEVEL 1 FACADE AT BUILDING 2= 1890 SF
AREA OF LEVEL 1 FACADE AT BUILDING 3A= 1473 SF
AREA OF LEVEL 1 FACADE AT BUILDING 3B= 1533 SF

TOTAL AREA OF LEVEL 1 FACADE = 8346 SF
REQUIRED GLAZING 30% OF FACADE = 2504 SF
GLAZING PROPOSED = 2524 SF

***FIRST FLOOR STREET LEVEL FACADE AREA IS MEASURED FROM FFE OF EACH SECTION OF BUILDING TO 12' AFF OR THE FLOOR LEVEL ABOVE, WHICHEVER IS LESS.

COMMUNITY APPEARANCE STANDARDS

BUILDING DESIGN - PEDESTRIAN ORIENTATION
PER UNIFIED DEVELOPMENT ORDINANCE 25.02.01

A. PRIMARY FACADE AND MAIN BUILDING ENTRANCE LOCATED ON PRIMARY PUBLIC WAY.
B. N/A
C.1 N/A
C.2 N/A
C.3 AREA OF GROUND FLOOR WINDOWS OR WINDOW DISPLAYS MUST EXCEED 10% OF STREET FACING GROUND FLOOR WALL AREA.

WALL SURFACE OF GROUND FLOOR STREET FACADES = 8,988 SF
REQUIRED WINDOWS AT 10% OF FACADE = 899 SF
WINDOW AREA PROPOSED = 2477 SF

***FIRST FLOOR STREET LEVEL FACADE AREA IS MEASURED FROM FFE OF EACH SECTION OF BUILDING TO 12' AFF OR THE FLOOR LEVEL ABOVE, WHICHEVER IS LESS.

***WINDOW AREA EXCLUDES ALL DOORS

BUILDING DESIGN - EXTERIOR WALLS
PER UNIFIED DEVELOPMENT ORDINANCE 25.02.02

BUILDING:	LENGTH OF BLDG SEGMENT:	MIN. NUMBER OF PLAN FEATURE TYPES :		MIN. NUMBER OF PLAN TOTAL FEATURES :	
		REQUIRED:	PROPOSED:	REQUIRED:	PROPOSED:
1A	84'	4	4	12	29
1B	120'	5	5	16	54
1C	140'	5	5	16	48
2	175'	5	5	16	71
3A	106'	4	4	12	36
3B	125'	5	5	16	45

BUILDING:	HEIGHT OF BLDG SEGMENT:	MIN. NUMBER OF ELEVATION FEATURE TYPES :	
		REQUIRED:	PROPOSED:
1A	38'-10 3/4"	4	5
1B	46'-11 1/2"	4	4
1C	44'-6 5/8"	4	4
2	44'-8 5/8"	4	5
3A	46'-10 7/8"	5	5
3B	48'-0 3/4"	5	5

BUILDING DESIGN - EXTERIOR WALLS
PER UNIFIED DEVELOPMENT ORDINANCE 25.02.02

BUILDING 1A:

FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	1
COLONNADE	1
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	
COVERED ENTRIES OR PORTICOS	
WINDOWS MIN SIZE 2'-8" x 3'-4"	24
TRELLISES	
PILASTERS	
OTHER FEATURES (CLOCK TOWER)	1

TOTAL: 29

BUILDING 1B:

FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	
COVERED ENTRIES OR PORTICOS	
WINDOWS MIN SIZE 2'-8" x 3'-4"	44
TRELLISES	
PILASTERS	1
OTHER FEATURES (JULIET BALCONY)	2

TOTAL: 49

BUILDING 1C:

FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	3
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	42
TRELLISES	
PILASTERS	
OTHER FEATURES	

TOTAL: 48

BUILDING 2

FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	1
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	1
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	66
TRELLISES	
PILASTERS	
OTHER FEATURES	

TOTAL: 71

BUILDING 3A

FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	1
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	1
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	31
TRELLISES	
PILASTERS	
OTHER FEATURES	

TOTAL: 36

BUILDING 3B

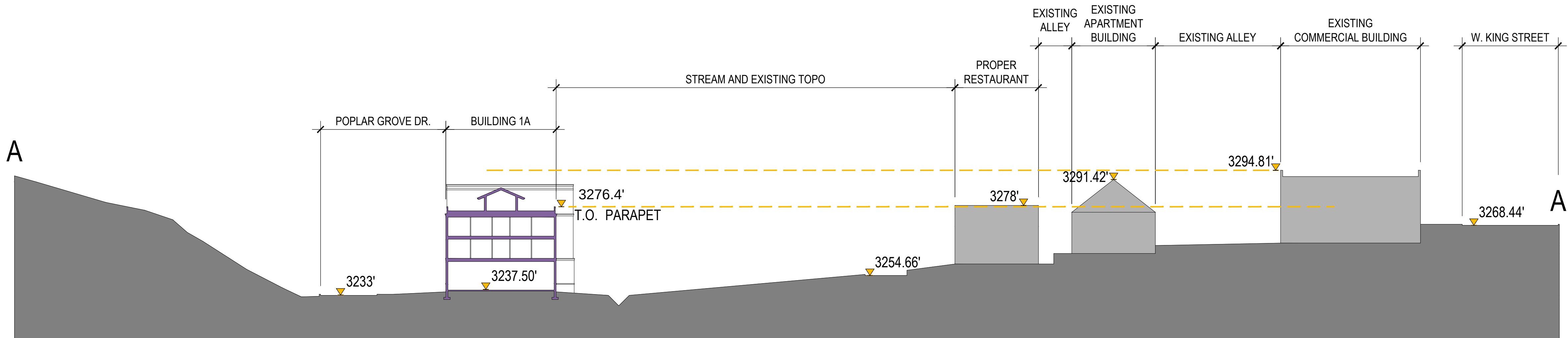
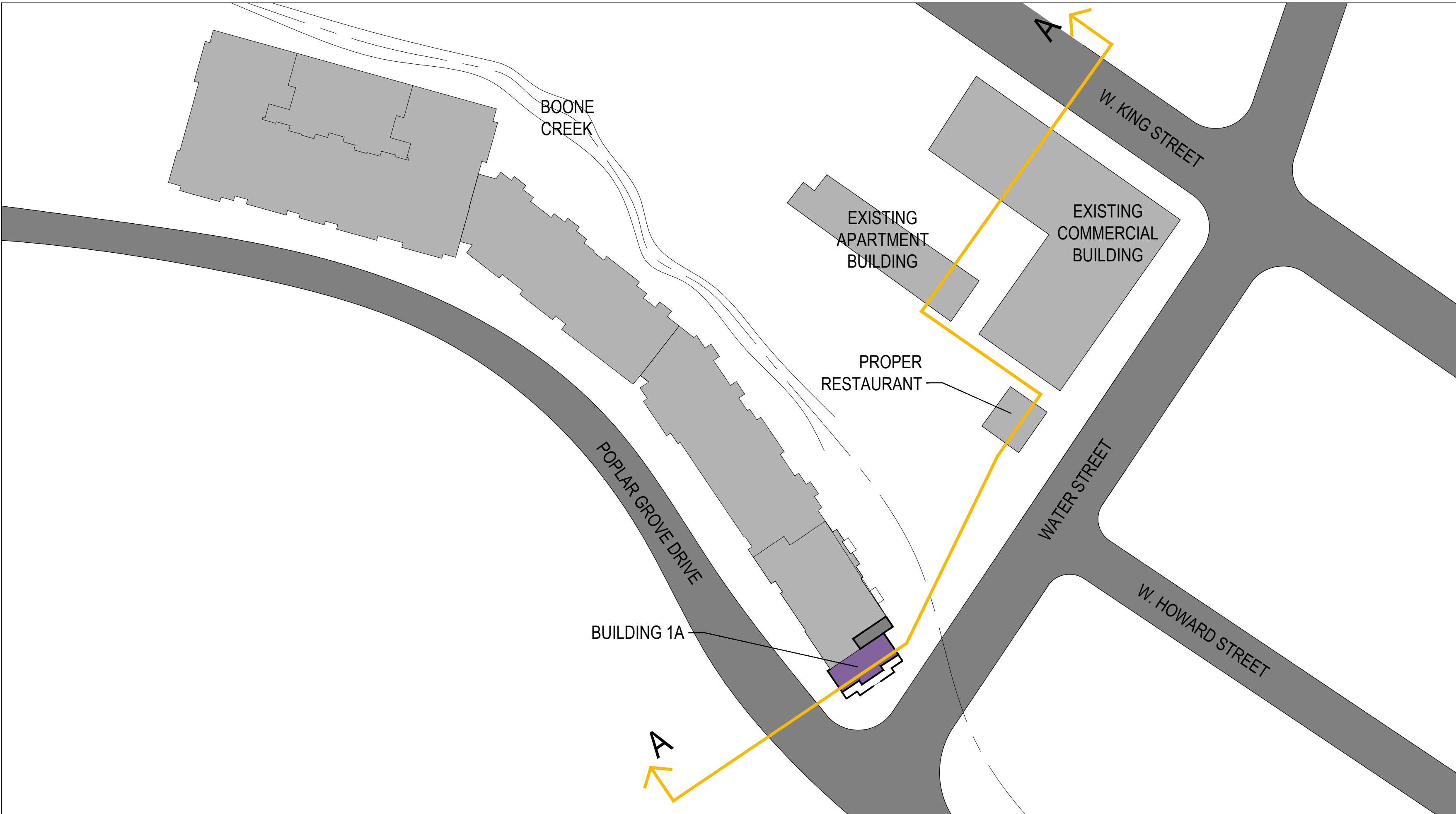
FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	
COLONNADE	
CHANGE IN MATERIAL	1
AWNINGS OR CANOPIES	1
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	41
TRELLISES	
PILASTERS	
OTHER FEATURES	

TOTAL: 44

BUILDING DATA

Mixed Use Development

Boone, North Carolina

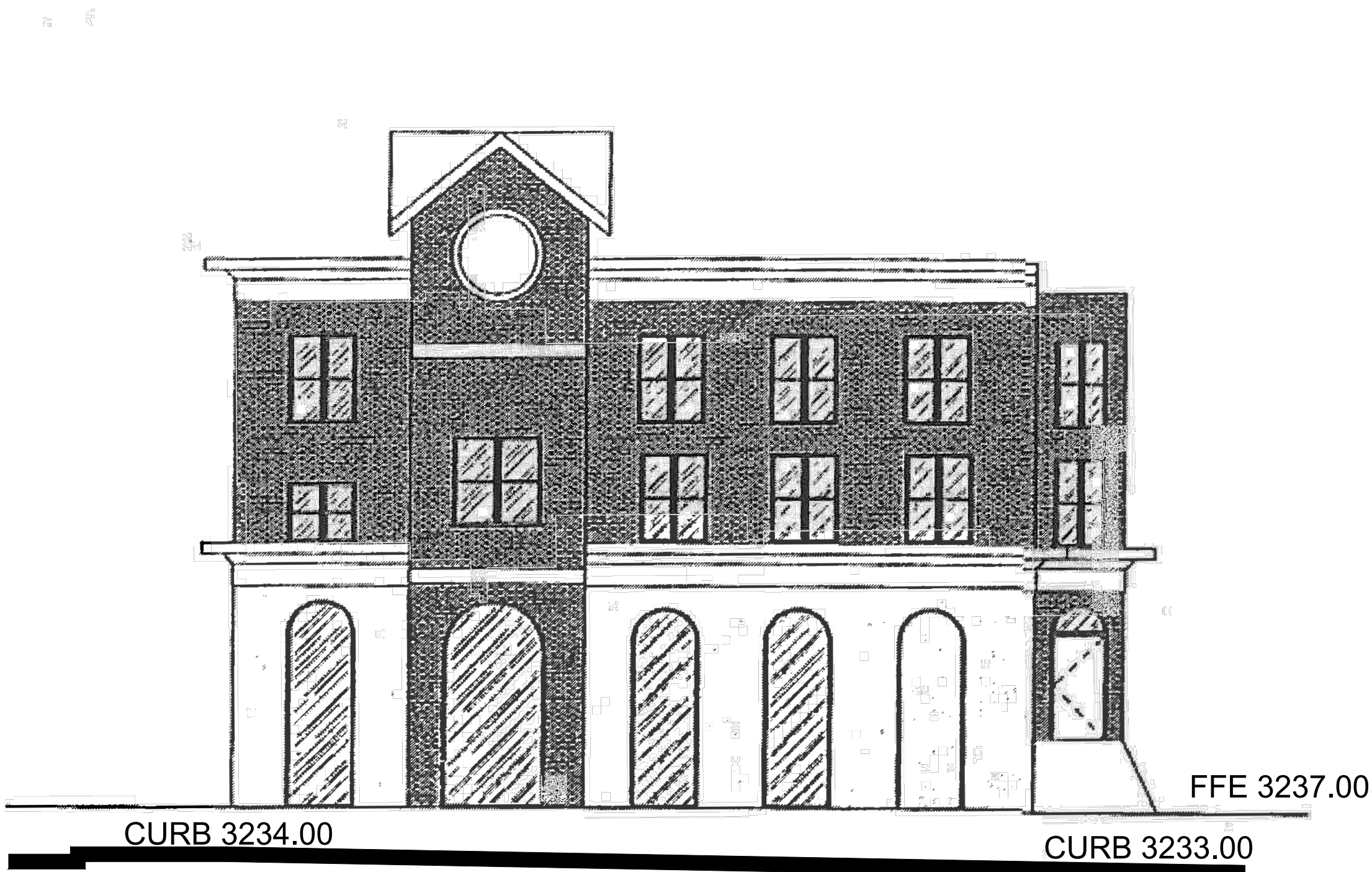


SITE SECTION

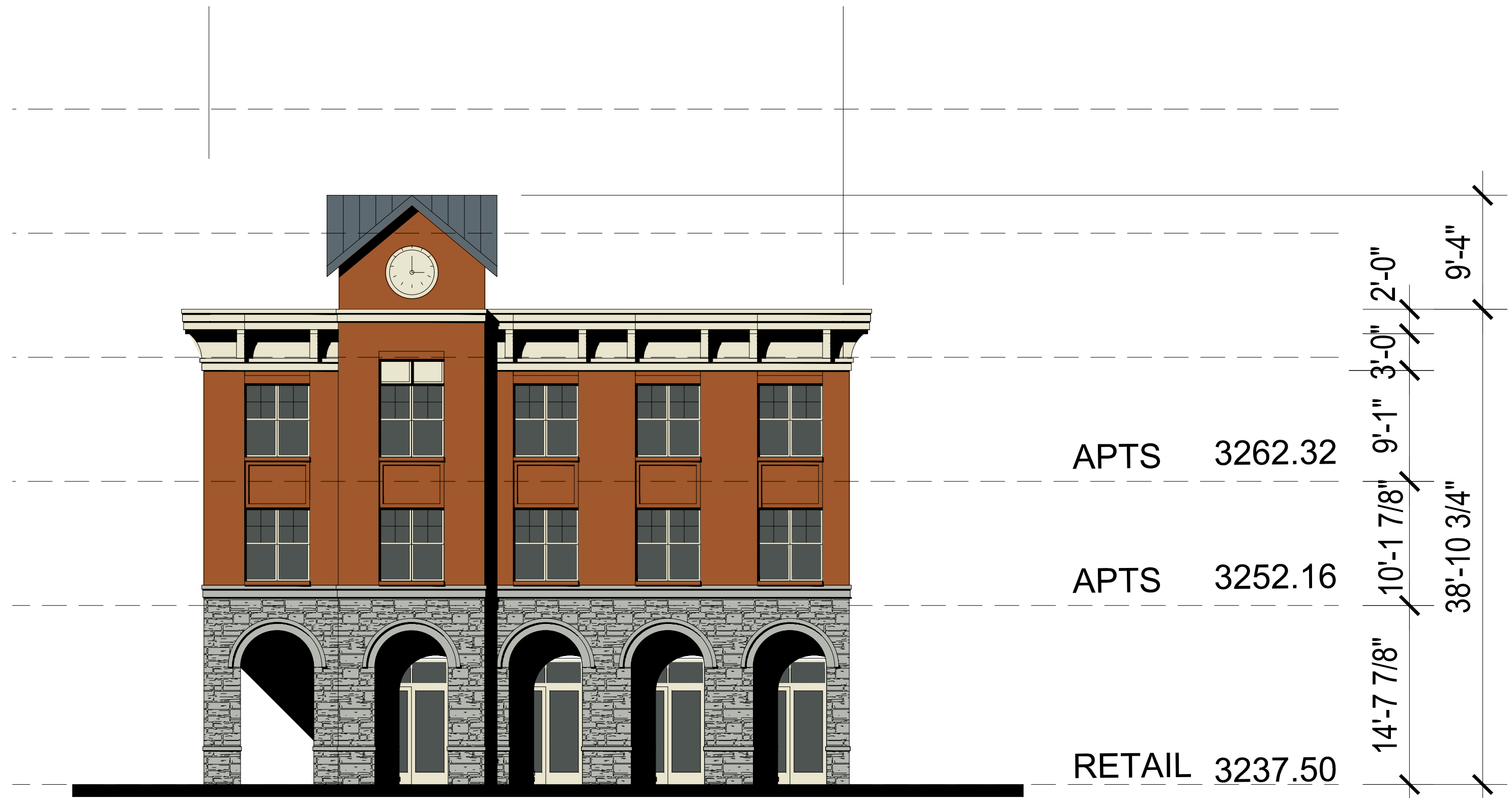
Mixed Use Development

Boone, North Carolina

Town of Boone
Planning & Inspections
Date Received
May 23, 2016



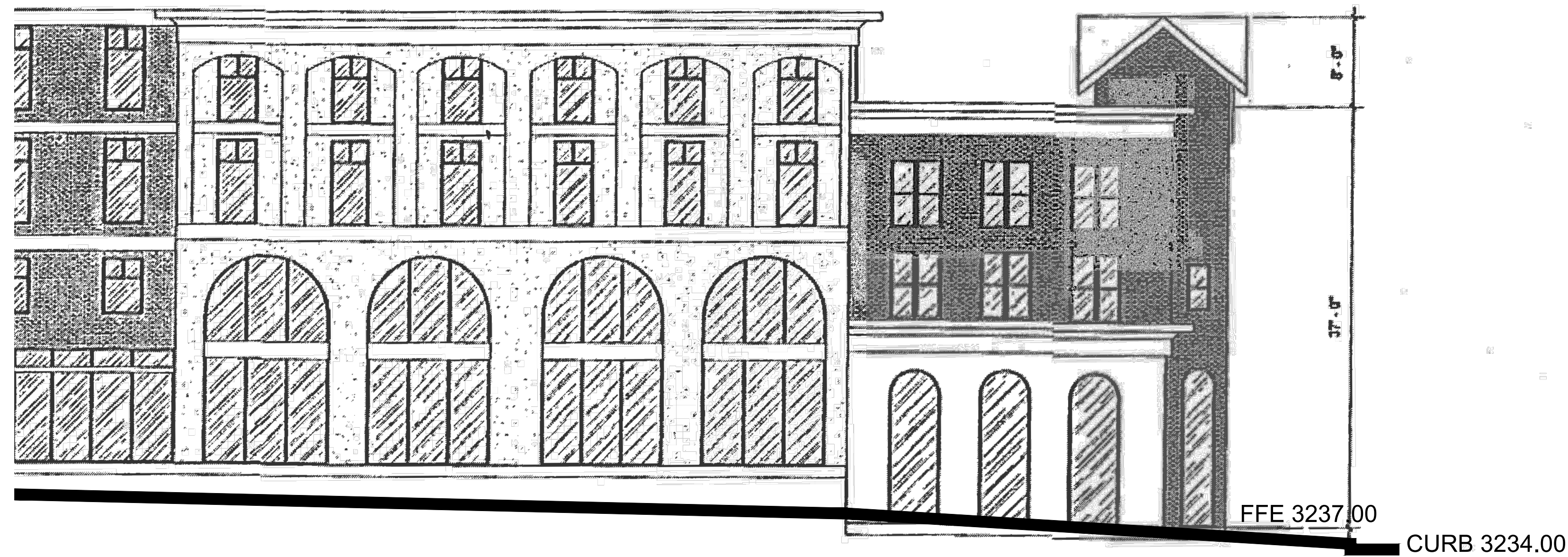
PORTION OF BUILDING AT WATER ST FROM PREVIOUS APPROVAL



PROPOSED BUILDING 1A AT WATER STREET

Mixed Use Development

Boone, North Carolina



PORTION OF BUILDING AT POPLAR GROVE/WATER ST INTERSECTION FROM PREVIOUS APPROVAL

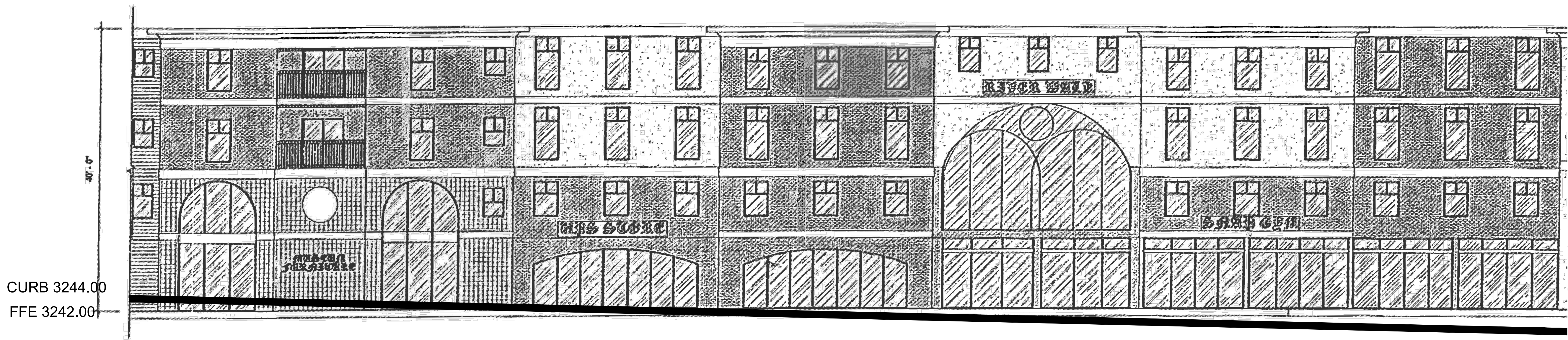
BUILDING 1B

BUILDING 1A



PROPOSED BUILDINGS 1A & 1B AT POPLAR GROVE/WATER ST INTERSECTION

Mixed Use Development
Boone, North Carolina



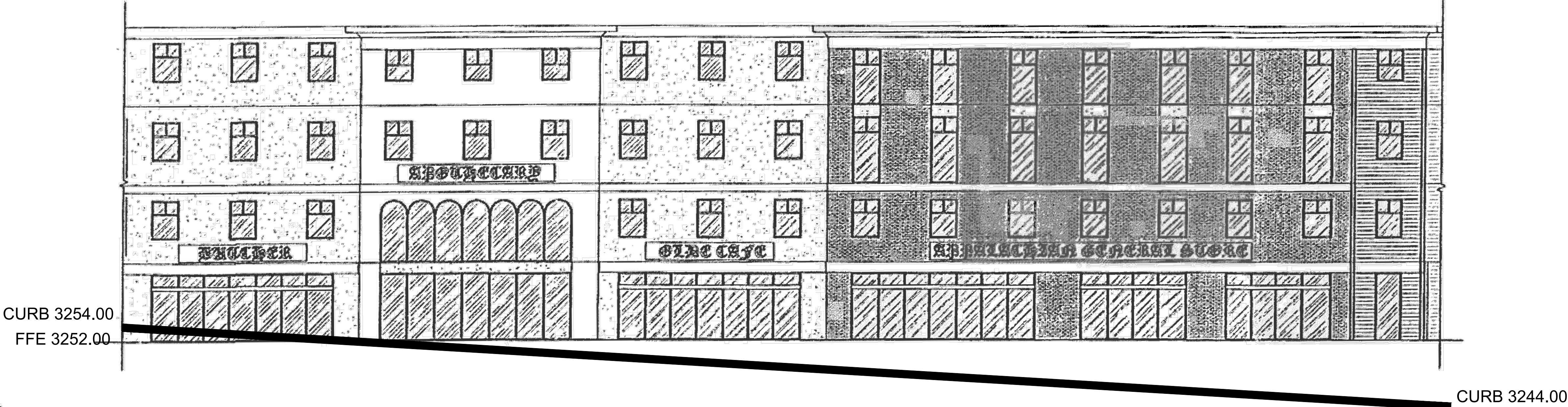
EASTERN PORTION OF BUILDING FROM PREVIOUS APPROVAL



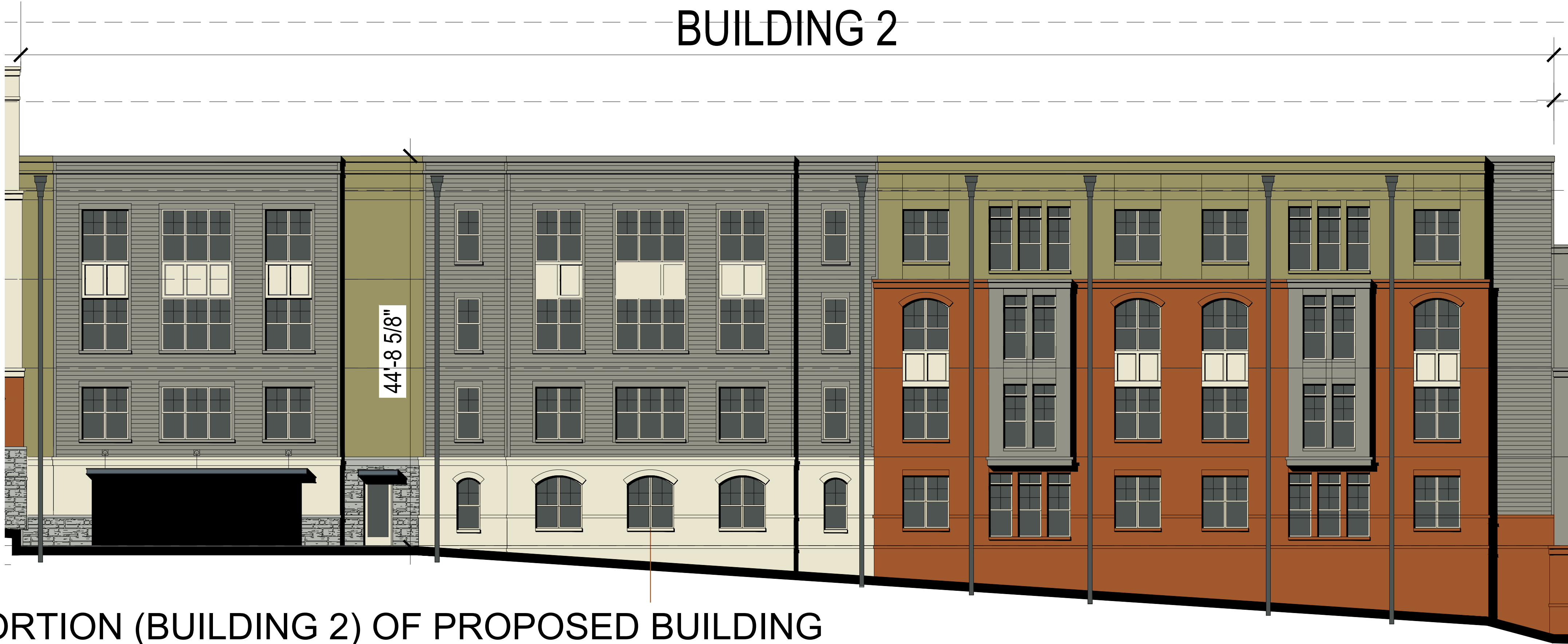
EASTERN PORTION (BUILDINGS 1B & 1C) OF PROPOSED BUILDING

Mixed Use Development

Boone, North Carolina



CENTER PORTION OF BUILDING FROM PREVIOUS APPROVAL



CENTER PORTION (BUILDING 2) OF PROPOSED BUILDING

Mixed Use Development
Boone, North Carolina



20160227

LETTER OF TRANSMITTAL

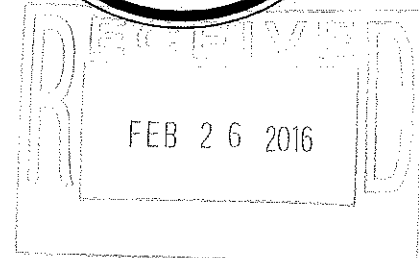
DATE: 2-25-16

TO: Jane Shook, Development Coordinator
Town of Boone

FROM: Alan Crees, PE

RE: Rivers Walk Planned Development Application

PROJECT No.: B13057.3



WE ARE SENDING YOU:

Copies	Date	No.	Description
1	2-25-16		Zoning & Planning Data Sheet
1	2-25-16		Planned Development Application
1	2-23-16		\$500 Fee (Check# 00167)
1	--		Deeds for 3 Properties
1	--		Legal Description
1	12-17-16		Neighborhood Meeting Notes
1	2-25-16		Development Summary
7	2-25-16		Preliminary Development Plans
1	2-25-16		11"x17" Reduced Copy of Preliminary Development Plans
2	2-25-16		Architect's Plans and Elevations
1	6-29-15		Copy of Trout Buffer Waiver

TRANSMITTED:

☒ FOR YOUR USE/FILE	☐ FOR APPROVAL	☐ AS YOU REQUESTED
☒ FOR REVIEW/COMMENT	☐ FOR SIGNATURE	☐ AS REQUESTED BY:
☐ FOR YOUR INFORMATION	☐ FOR	

REMARKS:

Jane - The Planned Development Application is enclosed for the Rivers Walk project. The revised Traffic Impact Analysis and Parking Demand Study are forthcoming.

Thanks, Alan

VIA: ☐ 1ST CLASS MAIL ☐ FAX ☒ HAND DELIVERED ☐ PICK UP ☐

COPY: Jeff Githens, Peak Campus
Glenn Weaver, Harrod/AP, LLC

Transmitted from the Boone, NC Office of Municipal Engineering Services Company, P.A. License No. C-0281 671 West King Street Suite A - PO Box 349 Boone, North Carolina 28607 Phone (828) 262-1767 - Fax (828) 265-2601 - E-mail (general): mesco@boone.net

20160136

Zoning/Planning Permit Application

Town of Boone Planning & Inspections Department
 680 W. King Street, Suite C • Boone, North Carolina 28607
 Phone (828) 268-6960 • Fax (828) 268-6961
 www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
☐ Commercial
☐ Board of Adjustment Hearing (other than Appeals)
☒ Planning/Other

A. CONTACT INFORMATION

Applicant: Jeff Githens Company: McKinley Boone, LLC
 Address: 2970 Clairmont Road NE Suite 310 Atlanta GA 30329
 Phone Number: 404-920-5361 Email Address: jgithens@peakcampus.com
 Property Owner: G&B Oil Company and Harrod/AP, LLC Company: same
 Address: PO Box 811 Elkin NC 28621 (G&B) and PO Box 90713 Raleigh NC 27675 (Harrod)
 Phone Number: 336-835-3607 (G&B) and 919-414-0739 (Harrod) Email Address: glenn.weaver@aplhc.com (Harrod/AP)

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): 2900-79-3318-000, 2900-79-0661-000 & 2900-69-8658-000
 Address/Location: 178 South Water Street, 190 Poplar Grove Road & 208 Poplar Grove Road
 Project Name: Rivers Walk Planned Development Mixed Use Project

C. PERMIT SUBCATEGORIES*Add Additional Forms Needed***Zoning Permits**

- | | |
|---|---|
| ☐ Accessory Building | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Addition/Expansion Including decks and patios | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Change of Occupancy | *Commercial Project Data Form |
| ☐ Land Disturbance (not associated with the construction of a bldg.) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Manufactured Home Set-up in Park | *Manufactured Home in Park Form |
| ☐ New Building Construction | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Renovation/Remodel | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Accessory Use (as listed in UDO Subsection 15.07.01) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Temporary Use (as listed in UDO Subsection 15.07.02) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Sign | *Sign Project Data Form (Zoning) |
| ☐ Pavement Sealant | *Pavement Sealant Project Data Form |
| ☐ Major Subdivision Zoning Permit | *Commercial Project Data Form |

Board of Adjustment Hearings

- | | |
|--|---|
| ☐ Special Use Permit/Modification | *Special Use Permit Form |
| ☐ Variance | *Variance Form |
| ☐ Major Subdivision Preliminary Plat Approval | *Major Subdivision Preliminary Plat Approval Form |

Planning/Other

- | | |
|---|--|
| ☐ Exempt Division of Land | *Subdivision Exemption Project Data Form |
| ☐ Minor Subdivision (Preliminary and Final Plat) | *Minor Subdivision Project Data Form |
| ☐ Major Subdivision (Final Plat) | *Major Subdivision Final Plat Project Data Form |
| ☐ UDO Text Amendment | *Text Amendment Project Data Form |
| ☐ General Use Zoning Map Amendment | *General Use Map Zoning Map Amendment Project Data Form |
| ☐ Conditional District Zoning Map Amendment | *Conditional District Zoning Map Amendment Project Data Form |
| ☐ Voluntary Annexation | *Annexation Petition (Satellite or Contiguous) |
| ☐ UDO Text Interpretation | *UDO Interpretation Data Form |

D. DETAILED DESCRIPTION OF PROJECT

Mixed Use Project

E. PROJECT MANAGER ORIGINATOR

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: Jeff Githens Company: McKinley Boone, LLC
 Address: 2970 Clairmont Road NC Suite 310 Atlanta GA 30329 License #: n/a
 Phone Number: 404-920-5361 Email Address: jgithens@peakcampus.com

F. DESIGN PROFESSIONAL INFORMATION

Engineer:

Name: Alan J. Crees Company: Municipal Engineering Services
 Address: PO Box 349 Boone, NC 28607 License #: 27044
 Phone Number: 828-262-1767 Email Address: creesmesco@bellsouth.net

Architect:

Name: Jeffrey M. Smith Company: Niles Bolton Associates
 Address: 3060 Peachtree Road NW Suite 600 Atlanta GA 30305 License #: 51037
 Phone Number: 404-365-7600 Email Address: jsmith@nilesbolton.com

AG: AMERICAN SIGNATURES: By signing this application, the applicant certifies that the information provided is true and correct to the best of their knowledge and belief. The applicant understands that providing false information may result in denial of the application and may be subject to civil and criminal penalties.

Jeff Githens
 Applicant (Print)
G & B Oil Company, Inc
Harold H. LLC
 Property Owner (Print)

[Signature]
 Applicant Signature
[Signature]
 Property Owner Signature

2/24/16
 Date
2/25/16
2/25/2016
 Date

Official Use Only

Project File Name: <u>Rivers Walk Planned Development - Mixed Use Project</u>				
Permit Number: <u>20160136</u>				
Project Name/Number:				
Date: <u>02-26-16</u>	Fee: <u>\$500.00</u>	Receipt Number: <u>339845</u>	Method of Payment: <u>✓ #: 000167</u>	Paid By: <u>McKinley Development Co.</u>

S:\FORMS\Forms_2015\ZoningPermitApplication_052015.doc

¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

Conditional District Map Amendment**Project Data Form**

Town of Boone Planning & Inspections Department
 680 W. King Street, Suite C • Boone, North Carolina 28607
 Phone (828) 268-6960 • Fax (828) 268-6961
www.townofboone.net

Official Use Only	
Project Name/Number:	Rivers Walk Planned Development - Mixed Use Project
Permit Name/Number:	2016-0136

It is recommended that applicants schedule a meeting with Planning & Inspections Staff prior to application submittal.

A - ADDITIONAL APPLICATION INFORMATION

Application Is For: ☐ Conditional District Map Amendment ☒ Planned Development

Hearing Date Requested¹: April 4, 2016

B - DEVELOPMENT INFORMATION

Project Name: Rivers Walk Planned Development Mixed Use Project

Project Description: Mixed Use Project

Existing Zoning District(s): B-1 Proposed Zoning District(s): B1-PD

Existing Land Use(s): Commercial Proposed Land Use(s)²: Mixed Use

Adjacent Land Use(s): N: Multi-family/Commercial E: Commercial/University

W: Commercial S: Park, Residential

Are there any existing variances granted to the property? ☒ Yes ☐ No ☐ Unknown

UDO Subsection 16.08.05 to allow building to exceed 35' height and UDO Subsection 11.11.02(J)

If yes, describe: to allow reduction to minimum building foot print

Are any variances being requested with this project?³ ☐ Yes ☒ No

If yes, describe:

Total Land Area: 2.747 Acres Total Disturbed Area: 2.59 Acres

Number of Proposed Phases: 1

Describe Phasing (if proposed):

If requesting vesting greater than 2 years (per UDO Section 4.14), list amount requested (up to 3 additional years).

For modifications, list original case # and date granted:

¹ Each applicant must provide the meeting date for which they wish their request to appear. Each completed application must have met published meeting deadlines.

² Please see UDO Article 15 for specific details on permissible uses

³ Each request for a Variance must be submitted on a separate Zoning Permit Application along with the appropriate fee.

C. DOCUMENTS REQUIRED FOR SUBMITTAL

- ☐ Completed Application (see UDO Article 4 & Appendix A)
- ☐ Application Fee
- ☐ 7 complete sets of development site plans
- ☐ One (1) reduced copy of development site plans (11X17)
- ☐ Two (2) sets of copies of building elevations
- ☐ Digital copy of plans (if available)
- ☐ Deed(s) of all property included in the request
- ☐ A written metes & bounds legal description with accompanying survey map is required for a request that would rezone only a portion of a tax parcel or requests for multiple zoning districts

D. PROPERTY OWNER SIGNATURE

By signing this form you are certifying that this application and any attached information are accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

G & B Oil Company

X Rich Caudle VP

2/25/16

Howard AP, LLC

[Signature]

2/24/2016

Property Owner (Print)

Property Owner Signature

Date

Original Use Only

Public Hearing Meeting Date: _____

PC Meeting Date: _____

TC Meeting Date: _____

Date of APO Mailed Notification: _____

Date of Posted Notification: _____

Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____

S:\FORMS\Forms_2015\ConditionalDistrictZoningMapAmendmentProjectDataForm_062015.doc

Attachment to Planned District Application**Property Owners:**

1. Pin No. 2900-79-3318-000
Address: 178 South Water Street
Owner: Harrod/AP, LLC
Owner Address: PO Box 90713
Raleigh NC 27675
Owner Phone: (919) 414-0739
2. Pin No. 2900-79-0661-000
Address: 190 Poplar Grove Road
Owner: G and B Oil Company, Inc.
Owner Address: PO Box 811
Elkin, NC 28621
Owner Phone: (336) 835-3607
3. Pin No. 2900-69-8658-000
Address: 208 Poplar Grove Road
Owner: G and B Oil Company, Inc.
Owner Address: PO Box 811
Elkin, NC 28621
Owner Phone: (336) 835-3607



March 25, 2016

Mr. Bill Bailey, Director
 Town of Boone Planning and Inspections
 680 W. King Street, Suite C
 Boone, NC 28607

Re: Rivers Walk Planned Development Submittal

Dear Mr. Bailey:

We are pleased to submit to you our Planned Development (PD) Submittal for the Rivers Walk Project (Project) in downtown Boone. Specific responses to section 9.10.05 of the UDO are provided below:

9.10.05

B. Specific information which must be submitted:

1. **A site specific development plan addressing plan aspects identified in Appendix A, identifying all development specifics which deviate from the standards of this Ordinance.**

With the exception of the items below, everything else in Appendix A is addressed in the drawings.

A2.01.D

A summary of changes to the Project with this PD versus the Conditional Use District Map Amendment approved on February 23, 2015 and the underlying UDO requirements are as follows:

- Residential – The residential component of the Project is very similar to that approved on February 23, 2015. The total bed count remains unchanged at 380 beds. The total unit count is now 119 versus 145 previously. This reduction in unit count is due to a change in unit configuration and distribution. The number of residential floors remains unchanged.
- Commercial – The commercial component of the Project has been improved from the February 23, 2015 approval to relocate most of the commercial space nearer to the intersection of Water Street and Poplar Grove Road in lieu of fronting all street frontages with ground level commercial. In doing so, the Project now has a deeper retail space with access from both sides of the building (58' versus 32'), better proximity to the surface parking lot, and a higher commercial ceiling height (11' to 13' versus 8' to 9') than the previous design.

Per the UDO - where commercial is required on fifty percent (50%) of the square footage of the footprint of each building on the primary street level (Water Street in this case) and thirty (30%) of each additional street level floor (Poplar Grove Road in this case) for developments located on lots which abut more than one public street in the

Central Business District – the Project provides 98.5% of the required commercial space per the calculation below:

COMMERCIAL AREA CALCULATIONS:

COMMERCIAL AREA REQUIRED =

50% OF FOOTPRINT OF BLDG #1 = 17,637 * .50 = 8,819 SF

30% OF FOOTPRINT OF BLDG #2 = 11,895 * .30 = 3,568 SF

30% OF FOOTPRINT OF BLDG #3 = 27,895 * .30 = 8,369 SF

TOTAL REQUIRED COMMERCIAL SPACE = 20,756 SF

COMMERCIAL AREA PROVIDED =

BLDG #1 = 10,568 SF

BLDG #2 = 1,480 SF

BLDG #3 = 8,395 SF

TOTAL PROVIDED COMMERCIAL SPACE = 20,443 SF

Thus, the commercial component of the Project is generally consistent with sections 15.11.02.A, B, and C of the UDO with the exception of the reorientation of the commercial space towards the Water Street and Poplar Grove Road intersection and the slight deviation from the required commercial space as noted above.

- Parking – The Project's parking configuration is very similar to that approved on February 23, 2015, with a few deviations. Two points of ingress/egress (one at each level of the deck) have been provided with the new configuration versus just one with the previous design. This change provides several advantages. In having separate entrances at each deck level, the overall height of the deck has been reduced. This deck height reduction has allowed for the finished floor of the lower level of the deck to be at existing grade (versus 6' below existing grade) and reduces the need for excavation and dewatering adjacent to Boone Creek. The second level deck can alternatively be accessed from the County's property if the County allows this access. Otherwise, the second level access will be from Poplar Grove Road as shown in the attached plans with sight distances as per NCDOT. The total parking count provided versus (that approved on February 23, 2015) - and what is required by the UDO, is as follows:
 - Vehicular – 164 (184) – Only maximum regulated, no minimum required.
 - Car Share – 2 (2) – None required.
 - Motorcycle – 6 (6) – 4 are required at ratio of 1 per 40 vehicular spaces.
 - Bicycle – 64 (72) – 39 are required.
- Building Height – In order to provide for more adequate commercial and residential ceiling heights, to provide for a parapet to improve storm water management and to screen HVAC equipment, and to allow overhead elevator equipment to penetrate the roof line so that elevators can reach all residential levels, the Project requires greater building height than that approved on February 23, 2015 where the project was permitted to have a 40' building height for all buildings. The current requested building heights by building as measured from sidewalk/entrance to each building to the top of the parapet are:
 - Building 1A – 40'-0"
 - Building 1B – 48'-7 1/2"
 - Building 1C – 46'-2 5/8"
 - Building 2 – 46'-10 3/4"
 - Building 3A – 49'-6 7/8"
 - Building 3B – 51'-2 3/4"

While some of these requested building heights vary from those permitted in sections 16.08.02, 04, 05, and 09 of the UDO, they are necessary to provide the benefits noted above.

- **Building Footprint/Siteplan** – The building footprint/siteplan of the Project remains more/less the same as that approved on February 23, 2015 and is generally consistent with sections 15.11.02 D, E, F, G, H, I, and K of the UDO. On section 15.11.02 J, the building footprint is 48% of the total gross square feet of the lot.
- **Amenities** – The amenity layout for the Project has been improved from that approved on February 23, 2015, in that the pool has been relocated from behind the building to the building courtyard above the parking deck. With this relocation, the applicant has volunteered to extend the Greenway at its cost all the way to the parking deck. Previously, applicant was solely providing an easement to the Town for future Greenway expansion. With the constructed Greenway, the Project's residents will have more convenient access to the covered bike storage within the deck and the Town's residents will have an immediate creek-side amenity.
- **Buffers** – The Project remains within the approved trout buffer encroachment.
- **Appearance Standards** – The Project is generally in compliance with Article 25 of the UDO. Materials and features are noted on the elevation renderings. On section 25.02.04 B, the intent is to use cultured stone in lieu of natural stone where stone is shown on the elevation renderings.
- **Signage** – Our preference is to have a main building monument sign near the intersection of Water Street and Poplar Grove Road fronting the area where we have shown a plaza/pavers. This placement would deviate from the requirements in sections 26.15.05 B and E. We would also like to increase the signage area from the allowable 25 square feet per section 26.15.05 D to 40 square feet if possible.

A2.01.G

The total construction cost of the Project is approximately \$23.5 million.

2. Written analysis, tailored to specifically address the characteristics of the particular location, addressing how the planned development will effectively and to the greatest degree reasonably possible, mitigate the impacts of the proposed development on the surrounding area, including but not limited to:

a. noise impacts;

Balconies will be limited and primarily located on certain units facing Boone Creek. The internal parking structure and courtyard pool will also be well shielded from the surrounding properties and corridors. Professional management will be available at all hours to manage resident conduct and any complaints.

b. light impacts; and

With the majority of the parking on-site to be within the parking deck which will be at or below the grade of Poplar Grove Road fronting the deck, automobile and parking deck lighting will be largely screened from the surroundings. Additionally, all exterior lighting requirements/codes will be followed.

c. any other predictable negative effect, including but not limited to:

i. negative visual effects;

Given the site's location at the bottom of a valley, the steep topography of the surrounding properties, and the vacant/dilapidated existing buildings on site,

the Project will greatly enhance the visual appeal of the site. The proposed street-scaping, utility relocation underground, and corner commercial focus will further enhance the site as a true gateway into downtown Boone. The Greenway extension and the restoration of the vegetated buffer along Boone Creek also stand to greatly improve the visual effects of the property over its current state.

ii. negative traffic effects; and

The Project will reduce the current 6 driveway entrances on the site to 3 and move them further away from the intersection of Water Street and Poplar Grove Road. The Project also requires no improvements to the surrounding intersections (other than signal optimization at West King Street and Water Street) to maintain adequate service levels.

iii. negative health effects.

The Project stands to redevelop a blighted property and mitigate a site that has been environmentally impacted to the betterment of all surrounding properties, neighbors, and Boone Creek. The urban infill nature of the Project with proximity to downtown Boone and the Appalachian State campus will promote walkability, bike-ability, and connect to mass transit. On site amenities, fitness center, and programs will promote health and well-being for our residents and the citizens of Boone. The Project simply epitomizes best practices in mixed-use urban design.

3. Information to demonstrate compliance with all mandatory requirements of this Ordinance, including:

- a. Article 5 Subdivisions (for purposes of this Section the Town Council is the approval authority for major subdivision preliminary plats); N/A**
- b. Article 8 Historic Preservation; N/A**
- c. Article 19 Grading; Addressed on plans**
- d. Article 20 Soil Erosion and Sediment Control; Addressed on plans**
- e. Article 21 Stormwater Management; Addressed on plans**
- f. Article 22 Utilities; Addressed on plans**
- g. Article 29 Watershed Protection; N/A**
- h. Article 30 Flood Damage Prevention; Addressed on plans**

4. Other information which may be required by the Administrator to fully evaluate the proposed development and its potential impacts on the surrounding area. Such information may include but is not limited to: traffic impact analysis, community impact analysis, additional engineering, and legal information.

An updated traffic impact analysis and parking study has been provided.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jeff Githens', written over a horizontal line.

Jeff Githens
President

February 26, 2016

Jeff Githens
President
Peak Campus
2970 Clairmont Road NE, Suite 310
Atlanta, GA 30329
O: 404-920-5361
C: 404-964-3677
F: 404-920-5461
jgithens@peakcampus.com

RE: Addendum #2 to Parking Demand Study
River Walk, Boone, NC
(DAVENPORT Project Number 14-076)

Dear Mr. Githens:

The following is an updated addendum to the Parking Demand Study prepared for the River Walk Development dated 5/19/2015. An addendum to the original study was prepared on 1/14/16 to provide additional information. This letter provides an update to reflect the latest site plan for the development.

1.0 Introduction

DAVENPORT was retained to prepare an updated Addendum to the original Parking Demand Study dated May 19, 2015 for the proposed River Walk Development located on the northwest quadrant of Poplar Grove Road and Water Street in Boone. As currently planned, the site will consist of 380 bedrooms (119 units) of which approximately 95% are expected to be students, and 10,266 square feet of retail area.

The purpose of this updated Addendum is to provide and update that reflects the latest site plan for the development.

2.0 Parking Demand

2.1 Requirements per UDO

The Boone UDO addresses mixed-use, multifamily and commercial, land uses in terms of a maximum parking allowed rather than a minimum parking required

2.1.1 Mixed-Use Multifamily Maximum Parking Allowed

The UDO allows 1 space per bedroom for apartments with three or fewer bedrooms and a maximum of three spaces for apartments with larger numbers of bedrooms. Additionally, the UDO allows for a 10% reduction to the minimum parking required, based upon adequate pedestrian access to ASU campus and another 10% reduction based upon adequate access to bus/transit services. Interestingly, the ASU Parking Survey addressed in later sections of this letter, found that 74.1% of students surveyed brought cars to Boone which is consistent with the above and other allowances provided in the UDO.



2.1.2 Commercial Maximum Parking Allowed

The UDO estimates five spaces per 1,000 square feet as the maximum parking that may be allowed for commercial retail and office. For restaurants, 12 spaces per 1,000 square feet is the maximum parking that may be allowed.

2.1.3 Motorcycle Parking Requirement

Per the UDO, one motorcycle parking space is required for every 40 vehicle parking space. With 164 vehicle parking spaces planned for onsite, four motorcycle spaces are required. Six motorcycle spaces are being provided.

2.1.4 Bicycle Parking Requirement

Per the UDO, the combined requirement of short and long term bicycle parking for the intended uses is 39 spaces. Per the developer, a total of 64 parking spaces will be provided onsite.

Per the UDO, the required motor vehicle parking can be reduced for every 5 bicycle spaces in excess of the minimum requirement up to a maximum of 10%. Therefore, since 25 more bicycle spaces are being provided than required, the number of motor vehicle parking spaces required can be reduced by 5 spaces.

2.2 Onsite Shared Cars

Based upon information provided by the developer, there will be two (2) shared cars provided onsite (i.e. Zipcar). Per the research published by shared car programs, each shared car is estimated to replace 15 personally-owned vehicles. Thus, the provision of shared cars onsite for the tenants can further alleviate the need for personally-owned vehicles for residents and parking. For the purposes of this study, the estimated parking demand for the residential portion of the development was adjusted based on the provided shared cars using the research information.

2.3 Commercial Parking Requirement

The original Parking Study dated 5/16/2015 addressed the Commercial Parking for the proposed mixed use development. The results of that study and previous parking studies performed in Boone provided for a commercial mixed use, parking demand of 2 spaces per every 1,000 square feet.



3.0 Motor Vehicle Parking Demand per UDO

Utilizing the measured parking rate for the commercial component of this mixed-use site, and the UDO standard rates for the residential portion, Table 1.0 below shows the projected parking needs for the development.

Table 1.0 – Parking Needed for Proposed Mixed-Use Site			
Residential Use			
Type of Use	Parking Rate ¹	Number of Units	Spaces Allowed
1 bedroom unit	1 space per unit	5	5
2 bedroom unit	2 spaces per unit	39	78
3 bedroom unit	3 spaces per unit	3	9
4 bedroom unit	3 spaces per unit	72	216
Residential Maximum Parking Allowed			308
20% Reduction for Pedestrian/Transit Access			-62
Reduction for Excess Bicycle Parking			-5
Reduction for Shared Cars (2 provided onsite) ²			-30
Residential Parking			211
Commercial Use			
Type of Use	Commercial Retail		
Square Footage	10,266 sq. ft.		
Field-observed parking rate ³	2 spaces per 1,000 sq. ft.		
Commercial Parking	21 spaces		
Site Total			
Total Parking	232 spaces		

¹Rates based on Boone UDO Article 24

²Based on published shared car research that each shared car replaces 15 personally-owned vehicles

³Rate based on field-observed rate

4.0 Parking Supply

Per the site plan, a parking deck will be constructed as part of the Rivers Walk Development with 147 automobile parking spaces. A surface lot will also be provided with an additional 17 spaces. Thus, a total of **164 parking spaces will be provided onsite**. As previously discussed, the total maximum parking allowed for the site is 232 spaces. Since the proposed site will consist of both commercial and residential uses, both short term and long term parking will be needed. Potential short term and long term offsite parking locations are further discussed below.

4.1 Offsite Parking – Short Term

The site is located in downtown Boone, where on-street parking, and public, university, private parking are located within walking distance. An investigation was performed to identify offsite parking areas within 500 feet of the site (per the UDO). Table 2.0 below provides a summary of the available short term parking:

Table 2.0 – Short Term Offsite Parking Inventory				
Name	Location	Number of Spaces (approx.)	Owner	Parking Type
W. King Street on-street parking	Within 500-ft radius of site	46	Public	1-hour, 2-hour
Total		46		



4.2 Offsite Parking – Long Term

The residential component of this development will generate the need for long term (daily) parking. Table 3.0 summarizes available long term parking within 500 feet of the site for residents.

Table 3.0 – Long Term Offsite Parking Inventory				
Name	Location	Number of Spaces (approx.)	Owner	Parking Type
Campus West	S. Water Street, Rivers Street and Howard Street	100	Private	Long Term
Total		100		

4.3 Total Parking Available

Table 4.0 below provides a summary of the parking available for residents and patrons of the River Walk Development. As shown, a total of 310 spaces are available through both onsite and inventoried offsite parking. Figure 3 (attached) summarizes the available parking for both short term and long term parking. In addition to the inventoried parking located within 500 feet of the development, the first of many Appalachian State University parking lots is 650' from the proposed development. There are 6,500 parking spaces available on the ASU campus. To utilize parking spaces on the ASU campus students must pay a parking fee.

Table 4.0 – Available Parking	
Type	Number of Spaces (approx.)
Onsite	164
Offsite – Short Term	46
Offsite – Long Term	100
Total	310

5.0 Demand per Student Parking Survey

Given the specific characteristics of this development, the close proximity to campus, and that 95% of tenants are anticipated to be students, it was determined that more information regarding the specific parking needs for the student tenants would be necessary in order to more accurately estimate the parking demand of the proposed development.

Additional information about the parking and vehicle ownership of ASU students had not previously been published. As such, a student survey was conducted (by others) during the Fall 2015, semester.

5.1 Methodology

The survey (attached) was conducted in order to better understand the potential parking needs of the student tenants of the proposed development. Six students were asked to distribute surveys to fellow classmates. The surveys were conducted in classrooms just prior to scheduled classes, so that distance learning students were not included as a part of the survey results, and so that results were not biased as a result of geographic sampling locations. The sampled group represents 2.5% of the University's reported 16,777 students attending classes on the main campus. The majority of the surveyed students (over 98%) indicated they were full time (FTE) students. Twenty-two of the students surveyed indicated that they lived at home and were deleted from the sample.



The sample is sufficient to be statistically significant. The statistical confidence level of the sample representing the student population is slightly greater than 95%. ⁽¹⁾

The distribution of the 416 students completing the survey was:

1.4%	Graduate Students	6
25.5%	Seniors	106
29.6%	Juniors	123
22.1%	Sophomores	92
21.4%	Freshmen	<u>89</u>
	Subtotal	416
	(Less students living with family)	<u>-22</u>
		394

This group included all classes of students who live both on and off campus. Students who live on campus were included in the results given the close proximity of the proposed development and the expected similar parking needs. The proposed development is located a comparable distance to the library and classrooms as many on-campus, university housing facilities including Appalachian Heights and the Living Learning Center.

An equal number of Type "A" and "B" forms, was completed by students in random classrooms. Forms "A" and "B" were identical except that the order of the "true" and "false" style answers was reversed. The forms contained the following fifteen questions:

- 1 What year student are you?
- 2 Are you considered a Full Time Student?
- 3 Do you live on or off campus?
- 4 Are you a commuting student living at home or with family?
- 5 Do you keep a car available for your use at school?
- 6 Do you drive the car daily?
- 7 Do you normally drive only on weekends?
- 8 Do you routinely walk from your room to classes?
- 9 Do you routinely ride the bus from your room to classes?
- 10 If you have no car, do you use a motor cycle or bike for transportation?
- 11 Do you routinely use the State Farm Parking Complex?
- 12 Are you an international student?
- 13 Do you pay a University Parking Fee for on-campus parking?
- 14 Where do you currently live, (Complex name or address)?
- 15 How much do you pay monthly, semester or annually for parking including University Permits?

5.2 Survey Results

The following responses to the survey questions were:

- a. 163 students (41.4%) live on campus;
- b. 292 students (74.1%) keep a car;
- c. 213 students (54.1%) routinely walk to class from their residence;
- d. 127 students (32.2%) routinely ride the bus to class;
- e. 15 students (3.8%) use a motor cycle or motor bike;
- f. 31 students (7.9%) routinely use the ASU State Farm Parking Complex;
- g. 138 students (35.0%) pay a University Parking Fee excluding metered parking.



Additional information can be found attached.

5.3 Survey Conclusion and Application

The survey results demonstrate that 74% of the surveyed students have a car, and 26% do not. Of all students surveyed, 35% have parking privileges on campus and 39% have cars without existing on-campus parking privileges.

Applying these findings to the proposed development, of the 380 residents planned, 95% or 361 are expected to be students. Using the survey results, 74.1%, or 268, student residents would be expected to have cars, and 35%, or 126, student residents would be expected to have parking privileges on the University campus. Of the 268 students expected to have cars at the proposed development, 142 student residents are anticipated to bring automobiles. And 143 students would be expected to require private, parking contracts. Hence, there would be enough onsite parking to accommodate the anticipated students with one (1) additional parking space left over.

Of the 5% or 19 non-student residents planned to reside at the proposed development, all are anticipated to own cars and require parking contracts.

Total residential parking demand is anticipated to be:

Student Residents Parking	268
Student residents with University parking privileges	<u>-126</u>
Total residents requiring private contract parking	142
Less: available on-premises, resident parking spaces	<u>-143</u>
Students without available on- premises parking	-1
Plus: Young Professional Parking	<u>19</u>
Residents requiring off-premises, private, parking contracts	18

The proposed development provides 164 parking spaces. A minimum of 21 spaces are required for short term commercial parking. The remaining 143 are available for residential contract parking. An anticipated 18 residents (including non-student residents) would need to acquire off-premises, private contracts. These off-premises contract spaces are available on the adjacent parking lot at Water and Rivers Street where the Holton Mountain Rentals, has offered to rent spaces on a first come basis.

6.0 Lease Language

As a final all-inclusive remedy to assuring residents utilize off-street, contract parking, Developer and Management of the proposed development have agreed to require all residents intending to bring automobiles to Boone to execute a mandatory Parking Addendum. The Parking Addendum is a legally binding contract in the Lease between Tenant and Landlord⁽²⁾. The Parking Addendum specifically requires that Tenant provide proof of an off-site, parking contract in the event that Tenant has not leased structured parking in the garage of the proposed development. See the attached for a copy of the Parking Addendum.

(1) Raosoft, Inc.

(2) "494 Lofts", Winkler Organization



7.0 Summary and Conclusion

DAVENPORT was retained to perform a parking demand study for the proposed Rivers Walk Development located on the northwest quadrant of Rivers Street/ Poplar Grove Road and Water Street in Boone, North Carolina. As currently planned, the site will consist of 380 bedrooms (119 units), approximately 95% of tenants are expected to be students, and 10,266 square feet of retail area. The purpose of this study was to determine if adequate parking is available for the development through onsite parking and other available offsite parking.

The projected parking demand for the site is 182 spaces. A total of 164 spaces will be provided onsite, with an additional 146 spaces located within 500 feet of the site. The motorcycle and bicycle parking provided onsite meet and exceed the UDO requirements. Table 5.0 provides a summary.

Table 5.0 – Parking Summary			
Motor Vehicle			
Parking Demand (approx.)		Parking Supply (approx.)	
Commercial	21	Onsite Commercial (Short-Term)	46
Residential	161	Onsite Residential (Long-Term)	138
		Offsite	146
Total	182	Total	330
Motorcycle			
UDO Required Motorcycle Parking	4	Provided Motorcycle Parking	6
Bicycle			
UDO Required Bicycle Parking	39	Provided Bicycle Parking	64

In addition to the estimated parking demand and supply, consideration must be given to the location of this development and the provisions provided onsite to accommodate and encourage tenants without vehicles. The site is located within walking distance of ASU and in Downtown Boone where pedestrian traffic has a large role in the overall traffic. Given that the apartments are anticipated to be comprised of mainly students, these tenants will have the opportunity to be less dependent on vehicles given the convenience to walk or bike to campus, as well as locations downtown.

Accommodations will be provided onsite specifically geared towards tenants without vehicles. Two shared cars will be provided onsite (e.g. Zipcar). Per the research published by shared car programs, each shared car is estimated to replace 15 personally-owned vehicles. A tenant-based ridesharing program will also be offered. This is in addition to the ASU ridesharing program (Zimride) and transit (Appalcart) system.

Finally, language will be included in the lease that specifically states the limited parking onsite and the requirement to provide proof of alternative parking arrangements if the tenant has not leased parking through the development.

Student surveys show that many students already choose not to maintain a personally-owned vehicle while at ASU. Given the ability, ease, and promotion for Rivers Walk tenants not to bring a personally-owned vehicle, and the supporting lease language, it is anticipated that this trend would increase for this site.

In conclusion, based on surveyed and field-measured parking rates, and the site-specific considerations, it is anticipated that sufficient parking is provided at this development.



Page 8
Mr. Githens

2/26/2016
DAVENPORT Project No. 14-076

Please contact me is you have any questions.

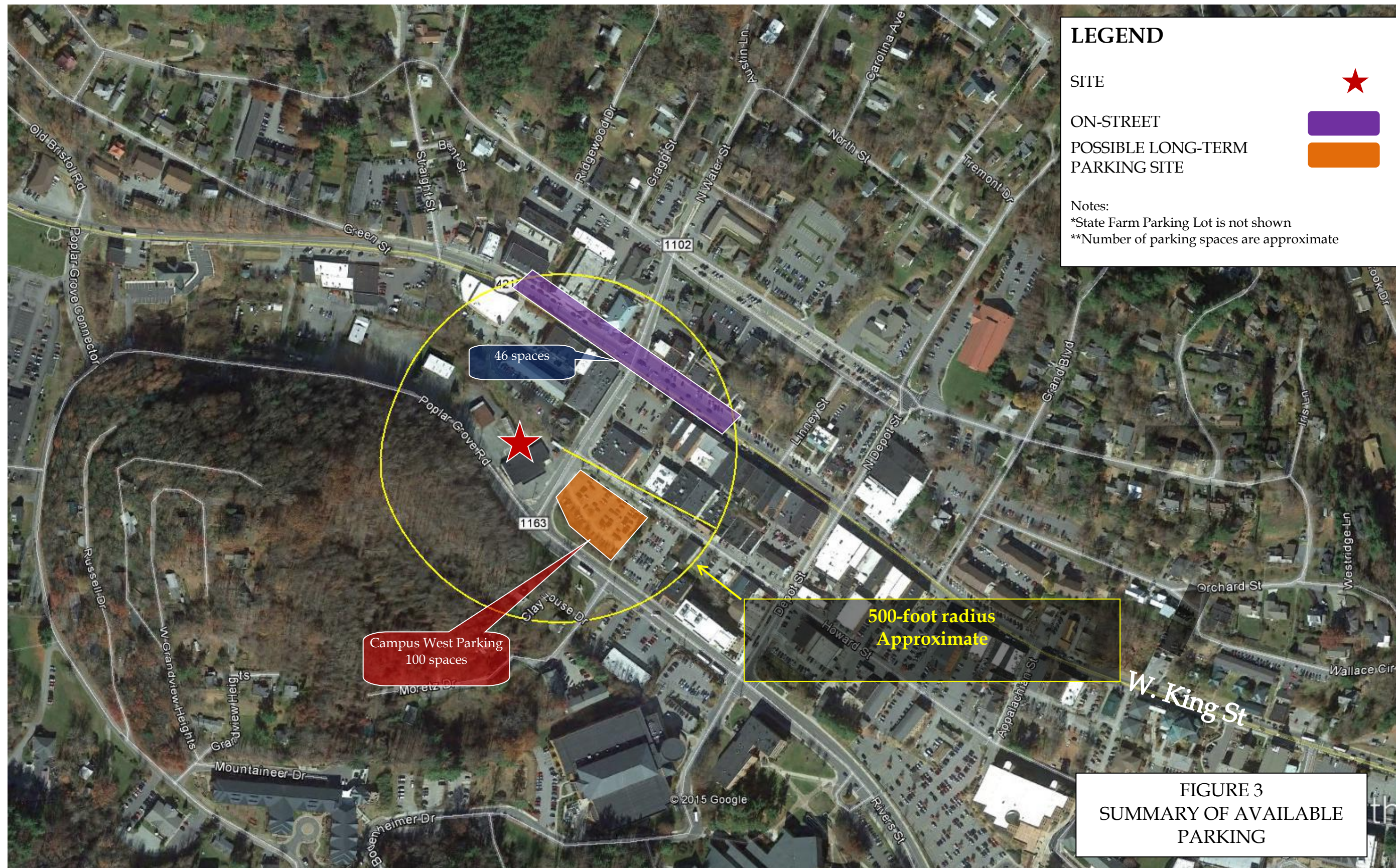
Sincerely,

A handwritten signature in dark ink, appearing to read 'Frank Amenya'.

Frank Amenya, PE, PTOE

Attachments: Figure 3
 Parking Survey
 Parking Calculations
 Rivers Walk Lease - Parking Addendum

Communication: Original Submittal: Rivers Walk Parking Demand Study (Rivers Walk Original Submittal Information)



STUDENT TRANSPORTATION SURVEY

INSTRUCTIONS

Please circle your answers by choosing the appropriate response or entering your comments in the spaces provided.

1 What year student are you?	Freshman Junior Post Grad	Sophomore Senior
2 Are you considered a Full Time Student?	Yes	No
3 Do you live on or off campus?	On	Off
4 Are you a commuting student living at home or with family?	Yes	No
5 Do you keep a car available for your use at school?	Yes	No
6 Do you drive the car daily?	Yes	No
7 Do you normally drive only on weekends?	Yes	No
8 Do you routinely walk from your room to classes?	Yes	No
9 Do you routinely ride the bus from your room to classes?	Yes	No
10 If you have no car, do you use a motor cycle or bike for transportation?	Yes	No
11 Do you routinely use the State Farm Parking Complex?	Yes	No
12 Are you an international student?	Yes	No
13 Do you pay a University Parking Fee for on-campus parking?	Yes	No
14 Where do you currently live, (Complex name or address)?		
15 How much do you pay monthly, semester or annually for parking including University Permits?		
	Monthly,	\$
	or Semester,	\$
	or Annually	\$

If you have any other comments about transportation or parking, please include below.



Total Parking Demand for Residents of Proposed Development					
Student Residents			Non-Student Residents		Total
Total Residents		380		380	
% of Student Residents		95%	% of Non-Student Residents	5.00%	
Expected Students	361	361	Non-Students	19	
% with Cars		74.10%		100.00%	
			Non-Student Residential Parking	19	19
Students Requiring Parking		268			
% Students having Campus Parking Privileges	35%				
Students with Campus Parking Privileges	126	(126)			
Student Residents without Campus Parking Privileges		142			142
					161
Less On-premises Residential Parking		-143			-143
Students Requiring Off-premises, Non-University Parking		-1			
Total Off-Premises, Non-University Required Parking					18

Individual Residential Rental Contract

RIVERS WALK - Parking Addendum

IN CONSIDERATION of the terms described below and the mutual promises made to each other RIVERS WALK, LLC (Landlord), by and through his/her/its agent (Agent), leases and rents to

(TENANT), this ____ day of _____, 2017.

WITNESSETH: That subject to the terms and conditions set forth by this Residential Rental Contract Parking Addendum, Tenant does hereby acknowledge that limited parking is provided for the Property, "RIVERS WALK" and does hereby agree to provide Landlord proof of Contract Parking arrangements, should Tenant possess a vehicle while residing in the property.

Contract Parking is defined as, but not limited to a parking contract or permit to park at:

Rivers Walk in the Residential Structured Parking Deck;
Holton Mountain Rental parking at Water Street and Rivers Street
Appalachian State University

(Metered Parking is specifically not considered Contract Parking.)

Landlord: **Rivers Walk, LLC.**

By: _____ (Seal). Date _____

By: _____ (Seal) Date: _____
Management

Tenant: _____

By: _____ (Seal) Date: _____
Signature of Tenant

Addendum Printed January 4, 2016

Communication: Original Submittal: Rivers Walk Parking Demand Study (Rivers Walk Original Submittal Information)

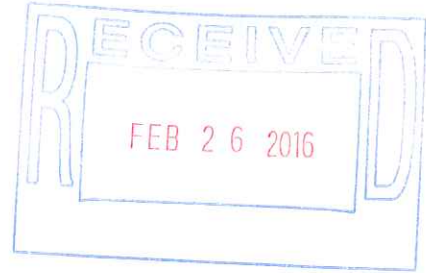
20160136

Harrod LLC/Peak Campus Planned Development Property Owners' Meeting

A neighborhood meeting, pursuant to the planned development under Section 9.10.05 of the Unified Development Ordinance was held on December 17, 2015. A notice was given to all of the property owners located within 150 feet of the development site on November 23, 2015, a copy of the Notice is attached. The meeting was held at the Watauga County Agriculture Center at 971 West King Street, Boone, North Carolina. The center had adequate parking and was a convenient location being next to the property in question.

The attendees at the meeting were as follows:

1. Mary Dean Silver on behalf of Resort Area Ministries
P.O. Box 24
Boone, NC 28607
2. Ben Miller
190 Berkeley Street
Boone, NC 28607
3. Deron Geouque, Watauga County Manager
814 West King Street
Boone, NC 28607
4. Monty Dunlap
P.O. Box 215
Boone, NC 28607
5. Sam Furgiuele and Peggy Mendell-Furgiuele
119 Gragg Street
Boone, NC 28607
6. Jeff Githens
2970 Claremont Road
Atlanta, GA
7. Glenn Weaver
3361 Fieldwood Drive
Smyrna, GA 30080
8. Alan Crees, Municipal Engineering
P.O. Box 349
Boone, NC 28607
9. James M. Deal, Jr., Deal, Moseley & Smith, LLP
870 West King Street, Suite B
Boone, NC 28607



At the meeting the petitioner presented contact information for the parties involved in the ownership design and development of the property, being Jeff Githens and Glenn Weaver. The petitioner also provided information for Alan Crees from Municipal Engineering and James M. Deal, Jr. with Deal, Moseley & Smith, LLP as being representatives of the petitioner. The petitioner then provided design maps of the property and proposed development showing general information on the current conditions of the site. The petitioner also presented the proposed uses and site development with preliminary plans or renderings that were available at that time. The

petitioner presented the existing conditions as well as the proposed development conditions for discussion by the parties attending the meeting. A sheet of contact information was provided to all parties who attended the meeting.

Alan Crees from Municipal Engineering described the site plan as well as the footprint of the property. The location of the greenway easement was discussed. The following items were also discussed:

1. The overhead power lines. The petitioner discussed with members of the public who were present the possibility of moving as many of these overhead lines underground as possible.
2. A discussion was held regarding the location of the dumpster and whether there were alternative locations. The petitioner agreed to look at potential alternative locations for the dumpster to move it further away from Proper Restaurant.
3. Discussion was held regarding the possibility of access into the site from the driveway owned by Watauga County as an access to the parking garage and from there thence onto Poplar Grove Road. Deron Geouque on behalf of the county, discussed this matter with the petitioner.
4. The question of the number of parking spaces within the parking deck took place. The petitioner stated that there were approximately 150 spaces in the parking deck plus approximately 18 surface parking spaces. The property owners who were present discussed the parking issues and whether this would be sufficient parking for the project. As part of the general discussion relating to parking and traffic, the petitioner stated that they would support the idea of a traffic circle at the intersection of Rivers and Water Street.
5. The petitioner discussed changing the location of the pool to a courtyard within the building area which would shelter the pool from the view of the other property owners.
6. The petitioner presented materials regarding the potential layout of the floor plan which would orient commercial space more toward Water Street. It would also increase the ceiling height for the commercial space and move the commercial space to a deeper bay with access from Water Street and Poplar Grove Road. The petitioner discussed the number of commercial spaces that would be oriented toward the intersection of Poplar Grove and Water Street. Mr. Furgiuele commented that he liked the idea of the commercial being pushed more toward Water Street rather than all the way up Poplar Grove Road. In general, the revised building elevations were well received.
7. There was a discussion regarding whether the height of the building fronting Water St. would be in context with the Proper Restaurant building with the roof tops of both buildings being of a similar height. Petitioner agreed to look at the issue.
8. The floorplan above the commercial space was discussed including being approximately 380 bedrooms and the general building elevations. The petitioner discussed that there would be four occupied stories but they would like to expand the floor to floor height to provide more reasonable residential ceiling heights and a taller elevator mechanical area in order to allow elevators to reach all floors. The petitioner also discussed providing a parapet for proper storm drainage and screening of HVAC equipment.
9. A discussion regarding the stream took place and the petitioner stated that they would not be covering any areas of the stream that are not currently covered.

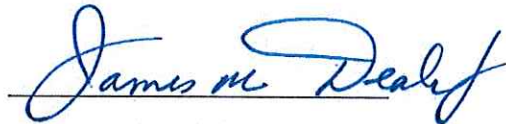
10. There was a discussion regarding potentially extending the proposed Greenway to the parking deck for convenient and safe access to bike storage within the deck. The petitioner represented that they would be amenable to providing such an extension.
11. There was a discussion of possible uses of the commercial space, however there were no defined tenants ready to occupy the commercial space.
12. The last discussion was regarding this project as an improvement to an already approved project in terms of trying to conceal mechanical and HVAC units that might be located on the roof, a relocation of the commercial space to a more commercial friendly area and a general discussion of the allocation of parking spaces within the structure and parking availability for other locations.

The primary concerns voiced by the attendees at the meeting were:

1. The location of the dumpster;
2. A potential concern regarding building height, although screening of mechanical items and rooftop physical items, as well as improving functionality of the building, was seen as a benefit; and
3. A concern over parking and traffic.

The meeting began at approximately 5:30 p.m. and ended at approximately 7:30 p.m. This concludes the report from the meeting of the property owners located with 150 feet of the project.

This Report was prepared by James M. Deal, Jr. pursuant to the Town of Boone UDO Planned Development Ordinance, section 9.10.05.



James M. Deal, Jr.

DEAL, MOSELEY & SMITH, LLP
ATTORNEYS AND COUNSELLORS AT LAW

870 WEST KING STREET, SUITE B
BOONE, NORTH CAROLINA 28607
Telephone (828) 264-4734

James M. Deal, Jr.
Allen C. Moseley
Claude D. Smith, Jr. *
C. Philip Ginn
Bryan P. Martin
J. Tucker Deal

Mailing Address:
Post Office Box 311
Boone, North Carolina 28607
Facsimile (828) 264-2712

* Also Licensed in Georgia
Certified Mediator

November 23, 2015

Dear Property Owner,

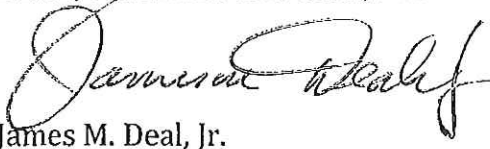
The purpose of this letter is to provide notice of a neighborhood meeting concerning a potential Planned Development for the old Southern States and G & B Oil properties along Water Street and Poplar Grove Road. The meeting is scheduled for Thursday, December 17th at 5:30 p.m. and will be held at the Watauga County Agricultural Center, located at 971 W. King St. Boone, NC. This meeting will be open to the owners of property located within 150 feet of the proposed Planned Development.

At the meeting, the proponent of the potential Planned Development will, at a minimum, present the following information:

1. Contact information of the parties involved in the ownership, design, and development of the property;
2. The location of the property and general information on the current conditions of the site;
3. Proposed use(s) and site development;
4. Any preliminary plans or renderings, if available; and
5. Any other information deemed pertinent by the Director of Planning & Inspections for the Town of Boone.

Very truly yours,

DEAL, MOSELEY & SMITH, LLP



James M. Deal, Jr.



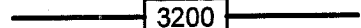
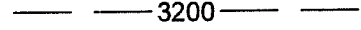
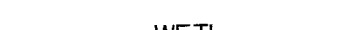
INDEX OF DRAWINGS					
DWG. NO.	DESCRIPTION	SHEET NO.	DWG. NO.	DESCRIPTION	SHEET NO.
C-1	COVER SHEET	1 OF 14			
C-2	PROJECT NOTES	2 OF 14			
C-3	EXISTING CONDITIONS	3 OF 14			
C-4	OVERALL SITE PLAN	4 OF 14			
C-5	PRELIMINARY SITE PLAN - SHEET 1 OF 2	5 OF 14			
C-6	PRELIMINARY SITE PLAN - SHEET 2 OF 2	6 OF 14			
C-7	PRELIMINARY GRADING AND DRAINAGE PLAN - SHEET 1 OF 2	7 OF 14			
C-8	PRELIMINARY GRADING AND DRAINAGE PLAN - SHEET 2 OF 2	8 OF 14			
C-9	EROSION & SEDIMENTATION CONTROL PLAN - PHASE 1	9 OF 14			
C-10	EROSION & SEDIMENTATION CONTROL PLAN - PHASE 2	10 OF 14			
C-11	EROSION & SEDIMENTATION CONTROL PLAN - PHASE 3	11 OF 14			
C-12	PRELIMINARY LANDSCAPE PLAN - SHEET 1 OF 2	12 OF 14			
C-13	PRELIMINARY LANDSCAPE PLAN - SHEET 2 OF 2	13 OF 14			
C-14	SPECIAL FLOOD HAZARD AREA PLAN	14 OF 14			

WATER ST. & POPLAR GROVE RD.
BOONE, NORTH CAROLINA
PROJECT NO. B13057.3

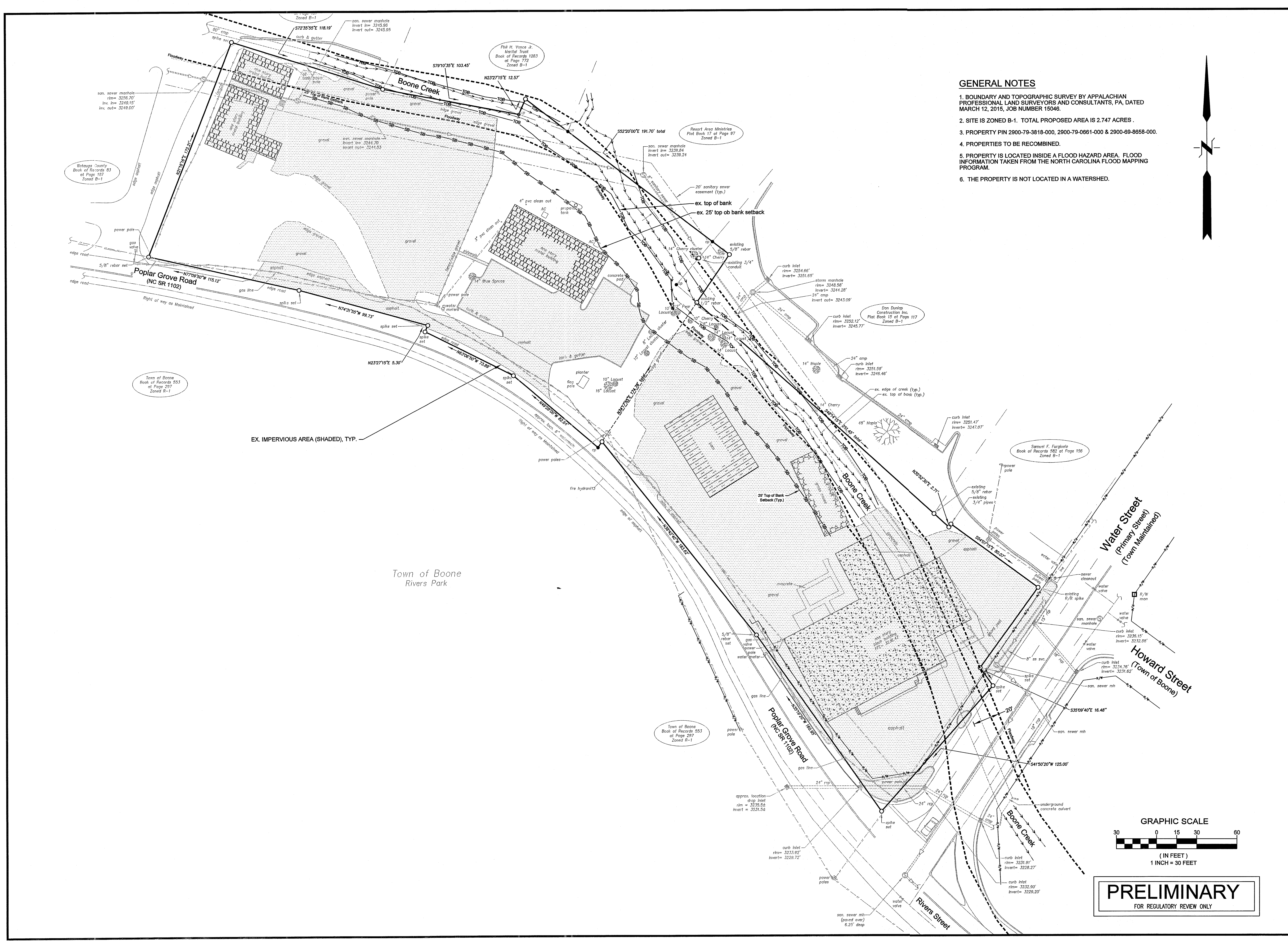
Municipal Engineering Services Company, P.A.
Boone, N.C. Garner, N.C.

PRELIMINARY
FOR REGULATORY REVIEW ONLY

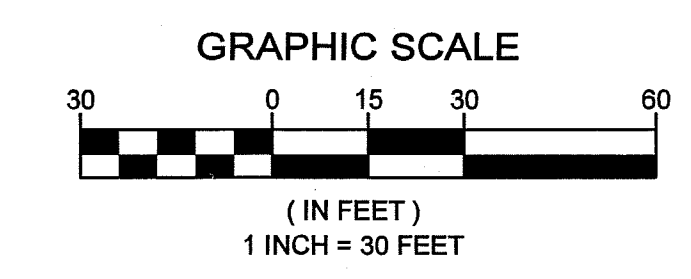
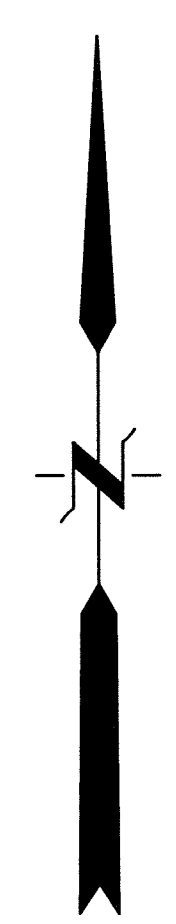
by _____
Professional Engineer

LEGEND		LINETYPES		LUI RATIOS		STORMWATER MANAGEMENT	
 EX. POWER POLE	 PROPOSED POWER POLE	 PROPOSED WATERMAIN		<u>SITE IS ZONED B-1 (CENTRAL BUSINESS DISTRICT)</u>		EXISTING IMPERVIOUS SURFACE AREA = 83,195 FT² PROPOSED IMPERVIOUS SURFACE AREA = 81,909 FT² THEREFORE, NO STORMWATER DETENTION IS REQUIRED.	
 EX. SS MANHOLE	 PROPOSED SS MANHOLE	 PROPOSED CONTOURS					
 EX. SS CLEANOUT	 PROPOSED SS VAULT	 EXISTING CONTOURS		PROVIDED:			
 EX. GATE VALVE	 PROPOSED SS CLEANOUT	 STREAM OR CREEK					
 EX. FIRE HYDRANT	 PROPOSED GATE VALVE	 DITCH OR SWALE		LOT AREA = 119,663 FT²			
 EX. LIGHT POLE	 PROPOSED FIRE HYDRANT	 STREAM OR CREEK TOP OF BANK					
 EX. CATCH BASIN	 PROPOSED LIGHT POLE	 STREAM BUFFER		LOT WIDTH (WATER ST.) = 204 FT			
 EX. DROP INLET	 PROPOSED DRAINAGE STRUCTURE	 TROUT BUFFER					
 EX. WATER METER	 PROPOSED YARD DRAINAGE INLET	 EXISTING WETLANDS		FLOOR AREA = N/A			
 EX. GUY WIRE	 PROPOSED WATER METER	 PROPOSED DRAINAGE PIPE					
 EX. TEST PIT	 TEMPORARY WATTLE	 EXISTING STORM DRAINAGE		OPEN SPACE = N/A			
 EX. DRAINAGE MANHOLE	 TEMPORARY ROCK PIPE INLET PROTECTION	 PROPOSED S.S. MAIN					
 EX. GAS MARKER	 TEMPORARY HARDWARE CLOTH & GRAVEL INLET PROTECTION	 CENTERLINE		LIVABILITY SPACE = N/A			
 EX. WELL	 TEMPORARY HARDWARE CLOTH & GRAVEL INLET PROTECTION	 FENCES					
 EX. TREE		 EXISTING WATERLINE		RECREATION SPACE = N/A			
 EX. BUSH		 RIGHT-OF-WAY LINE					
 EX. SIGN		 EASEMENTS		BUILDING HEIGHT = 46"-1" TO 51'-2" FT			
 EX. TELEPHONE PEDESTAL		 EXISTING SANITARY SEWER					
 EX. FIBER OPTIC MARKER		 PERMANENT DIVERSION		BUILDING FOOTPRINT = 57,928 FT (48% OF GROSS LOT AREA)			
		 TEMPORARY BERM DITCH					
		 SILT FENCE		TOTAL COMMERCIAL AREA = 20,756 FT²			
		 EXISTING WOODS LINE					
		 EXISTING OVERHEAD POWERLINE					
		 UNDERGROUND GAS LINE					
		 UNDERGROUND FIBER OPTIC LINE					
		 UNDERGROUND POWERLINE					
		UNDERGROUND TELEPHONE LINE					
		UNDERGROUND CABLE LINE					

Packet Pg. 342



- GENERAL NOTES**
1. BOUNDARY AND TOPOGRAPHIC SURVEY BY APPALACHIAN PROFESSIONAL LAND SURVEYORS AND CONSULTANTS, PA, DATED MARCH 12, 2015, JOB NUMBER 15046.
 2. SITE IS ZONED B-1. TOTAL PROPOSED AREA IS 2.747 ACRES.
 3. PROPERTY PIN 2900-79-3818-000, 2900-79-0661-000 & 2900-69-8658-000.
 4. PROPERTIES TO BE RECOMBINED.
 5. PROPERTY IS LOCATED INSIDE A FLOOD HAZARD AREA. FLOOD INFORMATION TAKEN FROM THE NORTH CAROLINA FLOOD MAPPING PROGRAM.
 6. THE PROPERTY IS NOT LOCATED IN A WATERSHED.



PRELIMINARY
FOR REGULATORY REVIEW ONLY

RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

Engineering
Company, P.A.

Municipal
Services

P.O. BOX 340 BOONE, N.C. 28607
(828) 262-1167
LICENSE NUMBER: C-0281

DATE	BY	REV.	DESCRIPTION

EXISTING CONDITIONS

SCALE: 1" = 30'

DATE: 2-25-16

DRWN. BY: EGT

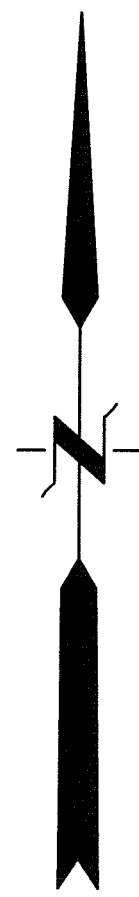
CHKD. BY: AJC

PROJECT NUMBER: B13057.3

DRAWING NO. C-3

SHEET NO. 3 OF 14

Communication: Original Submittal: Rivers Walk Site Plans (Rivers Walk Original Submittal Information)



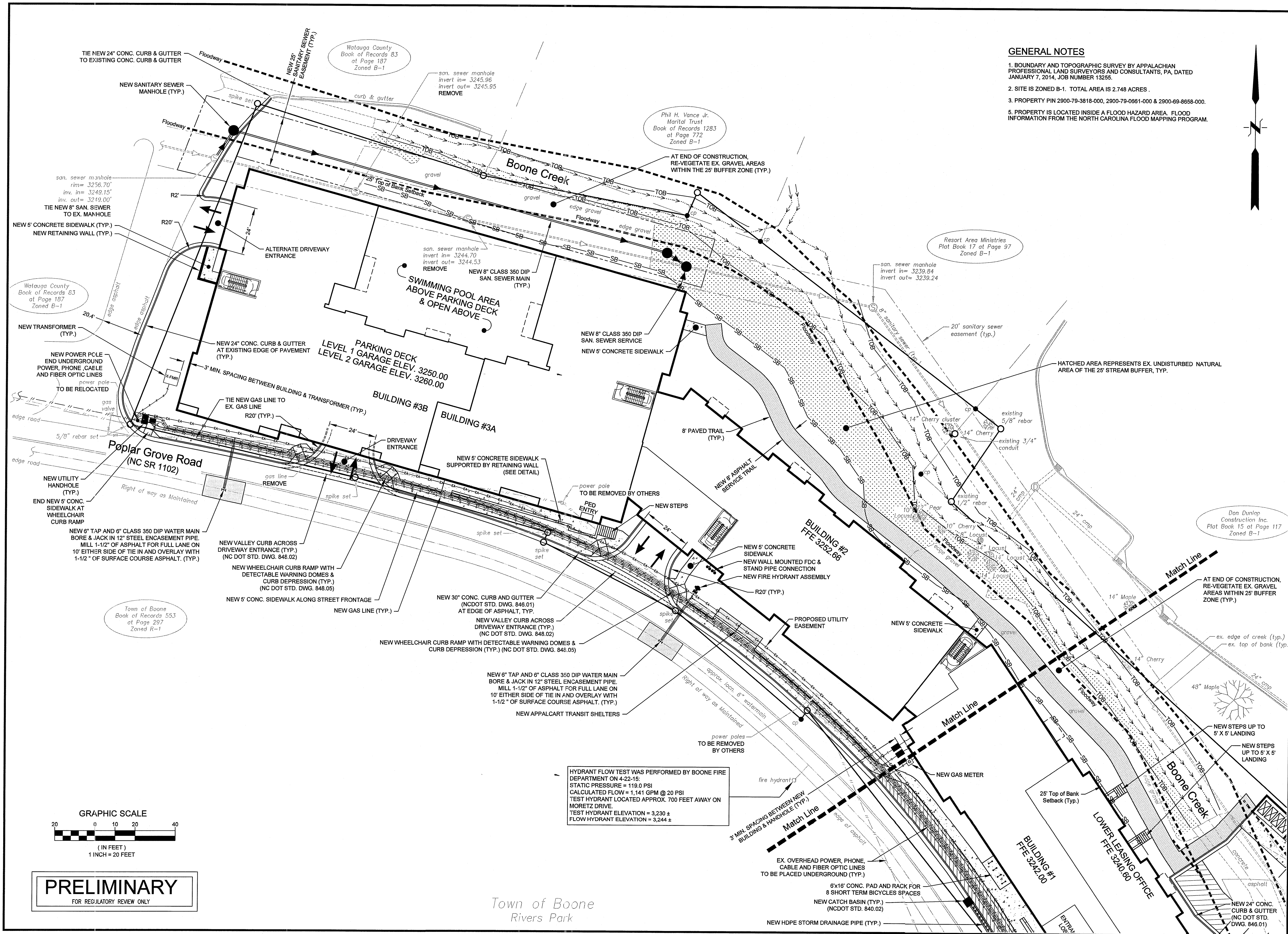
1. BOUNDARY AND TOPOGRAPHIC SURVEY BY APPALACHIAN PROFESSIONAL LAND SURVEYORS AND CONSULTANTS, PA, DATED MARCH 12, 2015, JOB NUMBER 15046.
2. SITE IS ZONED B-1. TOTAL PROPOSED AREA IS 2.747 ACRES .
3. PROPERTY PIN 2900-79-3818-000, 2900-79-0681-000 & 2900-69-8658-000.
4. PROPERTIES TO BE RECOMBINED.
5. PROPERTY IS LOCATED INSIDE A FLOOD HAZARD AREA. FLOOD INFORMATION TAKEN FROM THE NORTH CAROLINA FLOOD MAPPING PROGRAM.
6. THE PROPERTY IS NOT LOCATED IN A WATERSHED.

1. GREEN WAY SHALL BE AN 8' WIDE ASPHALT TRAIL CONSTRUCTED TO THE TOWN OF BOONE STANDARDS.
2. THE GREEN WAY SHALL BE FOR THE MUTUAL USE BY THE TOWN OF BOONE, THE DEVELOPMENT AND THE GENERAL PUBLIC.
3. THE TOWN OF BOONE SHALL BE RESPONSIBLE FOR DESIGN, PERMITTING AND CONSTRUCTION OF FUTURE GREEN WAY SECTIONS.
4. THE DEVELOPMENT SHALL BE ALLOWED TO USE THE GREEN WAY FOR MAINTENANCE OF THEIR PROPERTY INCLUDING TRANSPORTATION OF COMPACTED SOLID WASTE AND RECYCLING FROM THE GARAGE TO THE ENCLOSURE IN THE SURFACE PARKING LOT.
5. THE DEVELOPER SHALL GRANT THE TOWN OF BOONE ALL NECESSARY TEMPORARY EASEMENTS FOR THE CONSTRUCTION OF FUTURE GREEN WAY SECTIONS ON THE SUBJECT PROPERTY.
6. THE DEVELOPER SHALL GRANT THE TOWN OF BOONE ALL NECESSARY PERMANENT EASEMENTS FOR ACCESS AND MAINTENANCE OF THE GREEN WAY.
7. FINAL AGREEMENTS FOR THE GREEN WAY SHALL BE COORDINATED BETWEEN THE DEVELOPER'S AND TOWN OF BOONE'S ATTORNEYS.

**RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

[illegible]

Packet Pg. 344



- GENERAL NOTES**
1. BOUNDARY AND TOPOGRAPHIC SURVEY BY APPALACHIAN PROFESSIONAL LAND SURVEYORS AND CONSULTANTS, PA, DATED JANUARY 7, 2014, JOB NUMBER 13255.
 2. SITE IS ZONED B-1. TOTAL AREA IS 2.748 ACRES.
 3. PROPERTY PIN 2900-79-3818-000, 2900-79-0861-000 & 2900-69-8658-000.
 5. PROPERTY IS LOCATED INSIDE A FLOOD HAZARD AREA. FLOOD INFORMATION FROM THE NORTH CAROLINA FLOOD MAPPING PROGRAM.

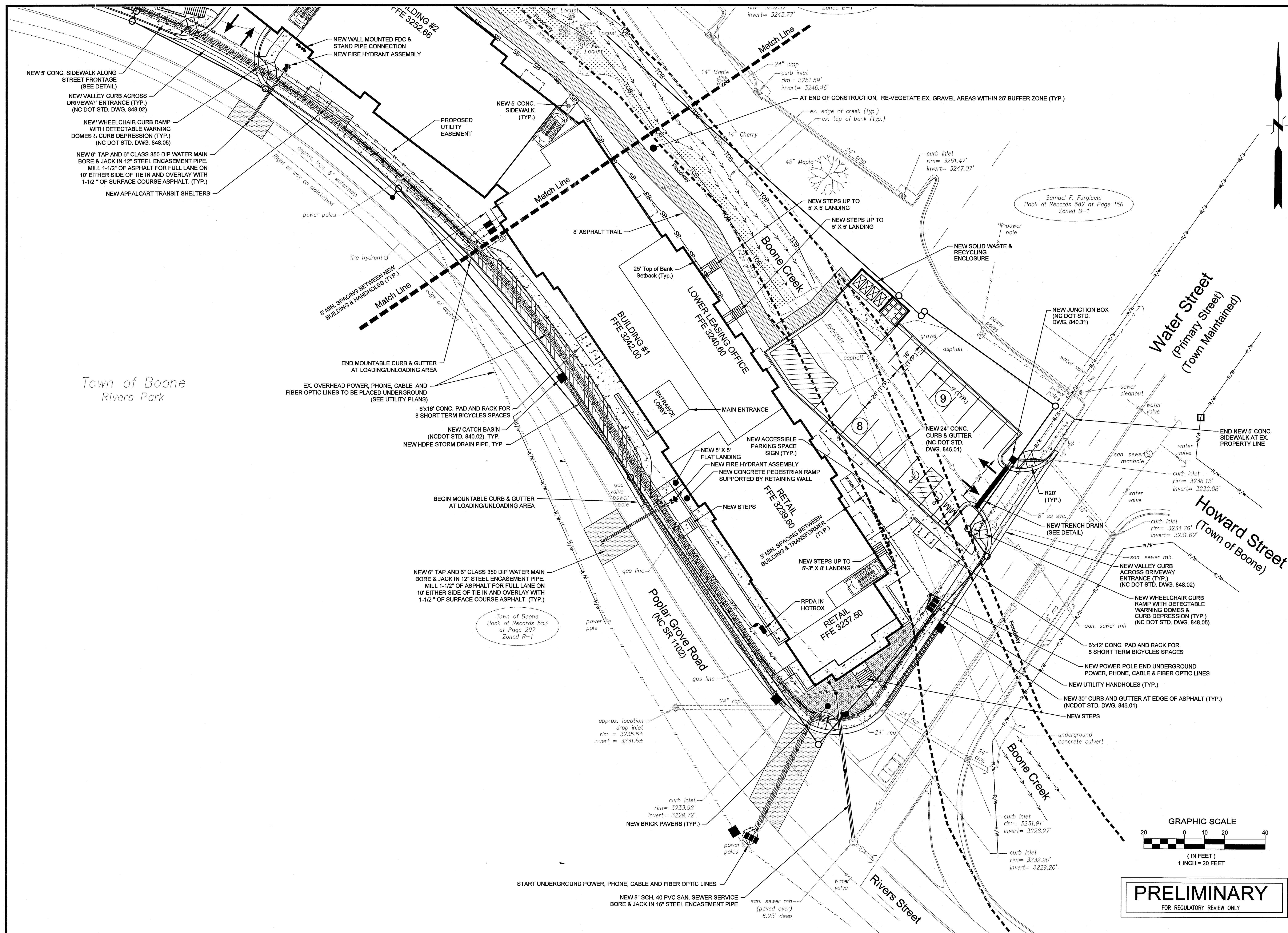
Engineering Company, P.A.
P.O. BOX 349 BOONE, N.C. 28607
(828) 262-1767
LICENSE NUMBER C-0281

Municipal Services
P.O. BOX 97 GARNER, N.C. 27539
(919) 772-5993

**RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

DESCRIPTION		DATE	BY	REV.
PRELIMINARY SITE PLAN SHEET 1 OF 2				
SCALE: 1" = 20'				
DATE: 2-25-16				
DRWN. BY: EGT				
CHKD. BY: AJC				
PROJECT NUMBER B13057.3				
DRAWING NO. C-5				
SHEET NO. 5 OF 14				
Packet Pg. 345				

Communication: Original Submittal: Rivers Walk Site Plans (Rivers Walk Original Submittal Information)



CONSTRUCTION NOTES:

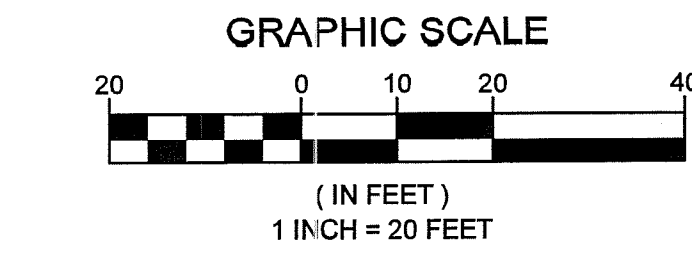
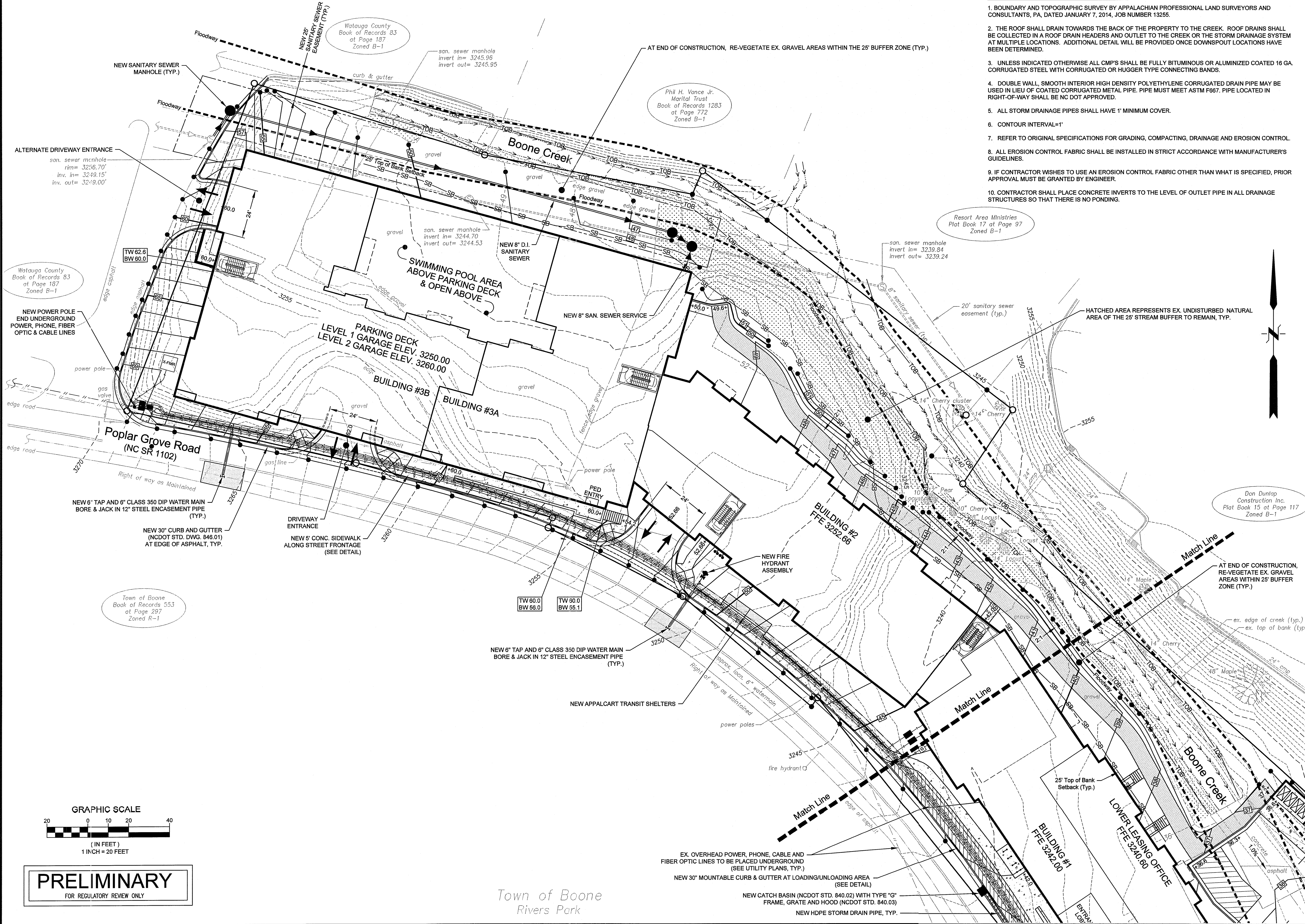
- 1. BOUNDARY AND TOPOGRAPHIC SURVEY BY APPALACHIAN PROFESSIONAL LAND SURVEYORS AND CONSULTANTS, PA, DATED JANUARY 7, 2014, JOB NUMBER 13255.
- 2. THE ROOF SHALL DRAIN TOWARDS THE BACK OF THE PROPERTY TO THE CREEK. ROOF DRAINS SHALL BE COLLECTED IN A ROOF DRAIN HEADERS AND OUTLET TO THE CREEK OR THE STORM DRAINAGE SYSTEM AT MULTIPLE LOCATIONS. ADDITIONAL DETAIL WILL BE PROVIDED ONCE DOWNSPOUT LOCATIONS HAVE BEEN DETERMINED.
- 3. UNLESS INDICATED OTHERWISE ALL CMP'S SHALL BE FULLY BITUMINOUS OR ALUMINIZED COATED 16 GA. CORRUGATED STEEL WITH CORRUGATED OR HUGGER TYPE CONNECTING BANDS.
- 4. DOUBLE WALL, SMOOTH INTERIOR HIGH DENSITY POLYETHYLENE CORRUGATED DRAIN PIPE MAY BE USED IN LIEU OF COATED CORRUGATED METAL PIPE. PIPE MUST MEET ASTM F667. PIPE LOCATED IN RIGHT-OF-WAY SHALL BE NC DOT APPROVED.
- 5. ALL STORM DRAINAGE PIPES SHALL HAVE 1' MINIMUM COVER.
- 6. CONTOUR INTERVAL=1'
- 7. REFER TO ORIGINAL SPECIFICATIONS FOR GRADING, COMPACTING, DRAINAGE AND EROSION CONTROL.
- 8. ALL EROSION CONTROL FABRIC SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
- 9. IF CONTRACTOR WISHES TO USE AN EROSION CONTROL FABRIC OTHER THAN WHAT IS SPECIFIED, PRIOR APPROVAL MUST BE GRANTED BY ENGINEER.
- 10. CONTRACTOR SHALL PLACE CONCRETE INVERTS TO THE LEVEL OF OUTLET PIPE IN ALL DRAINAGE STRUCTURES SO THAT THERE IS NO PONDING.

Engineering
Company, P.A.
P.O. BOX 349 BOONE, N.C. 28607
(628) 262-1767
LICENSE NUMBER: C-0281

Municipal
Services
P.O. BOX 97 GARNER, N.C. 27539
(919) 772-5383

RIVERS WALK
MCKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

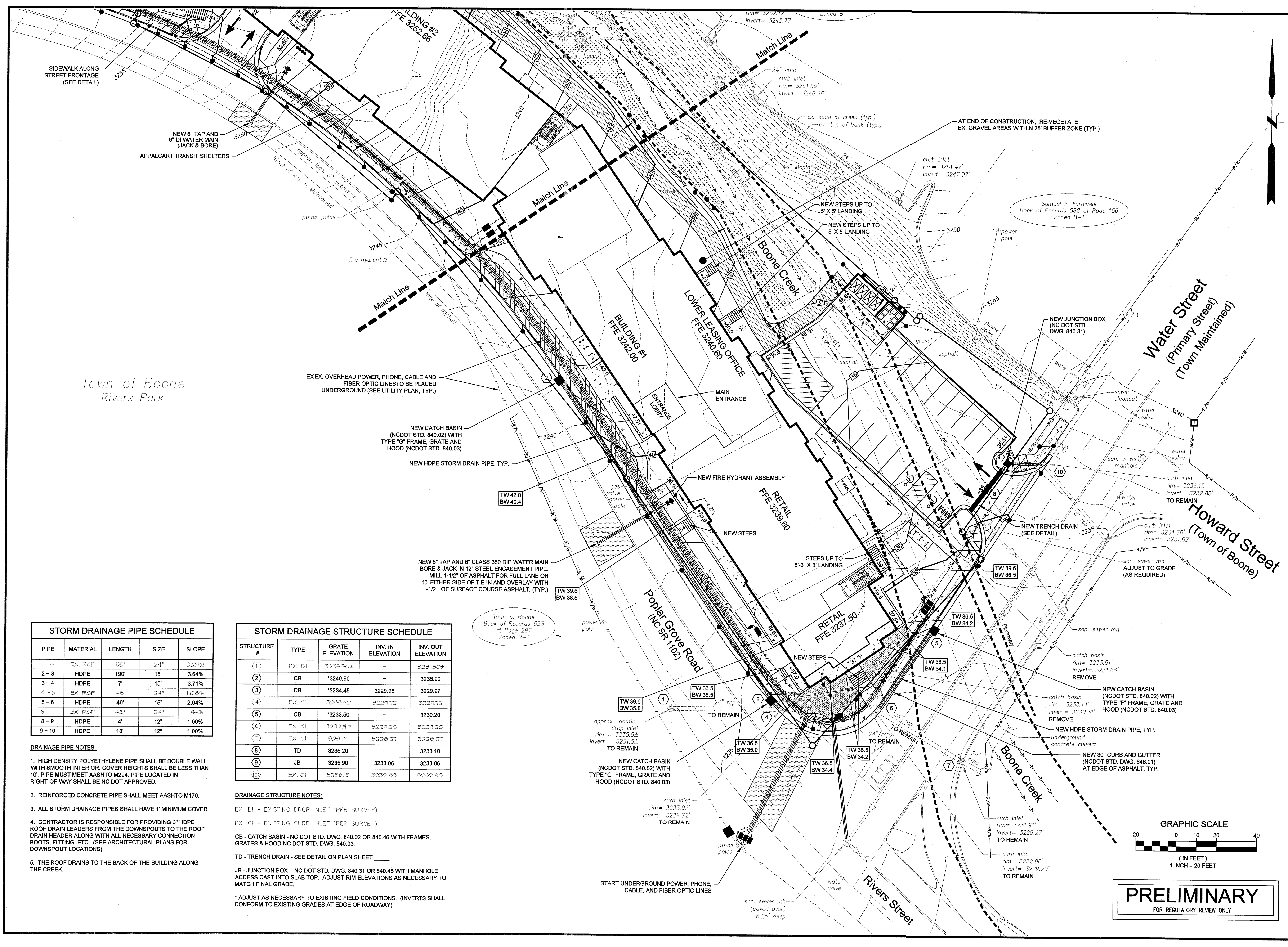
DESCRIPTION		REV.	
DATE	BY	DATE	BY
PRELIMINARY GRADING & DRAINAGE PLAN			
SHEET 1 OF 2			
SCALE: 1" = 20'			
DATE: 2-25-16			
DRWN. BY: EGT			
CHKD. BY: A/C			
PROJECT NUMBER			
B13057.3			
DRAWING NO.		SHEET NO.	
C-7		7 OF 14	



PRELIMINARY

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Town of Boone
Rivers Park



Engineering
Company, P.A.

Municipal
Services

P.O. BOX 349 BOONE, N.C. 28607

(828) 282-1787

LICENSE NUMBER: C-0281

RIVERS WALK
MCKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

PRELIMINARY GRADING & DRAINAGE PLAN
SHEET 2 OF 2

DATE	BY	REV.	DESCRIPTION

SCALE: 1" = 20'

DATE: 2-25-16

DRWN. BY: EGT

CHKD. BY: AJC

PROJECT NUMBER
B13057.3

DRAWING NO.
C-8

SHEET NO.
8 OF 14

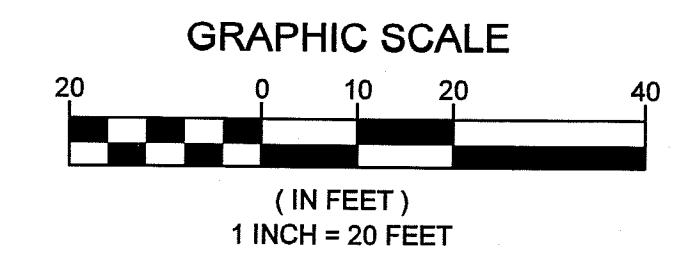
Packet Pg. 348

STORM DRAINAGE PIPE SCHEDULE				
PIPE	MATERIAL	LENGTH	SIZE	SLOPE
1 - 4	EX. RCP	55'	24"	3.24%
2 - 3	HDPE	190'	15"	3.64%
3 - 4	HDPE	7'	15"	3.71%
4 - 6	EX. RCP	48'	24"	1.08%
5 - 6	HDPE	49'	15"	2.04%
6 - 7	EX. RCP	45'	24"	1.44%
8 - 9	HDPE	4'	12"	1.00%
9 - 10	HDPE	18'	12"	1.00%

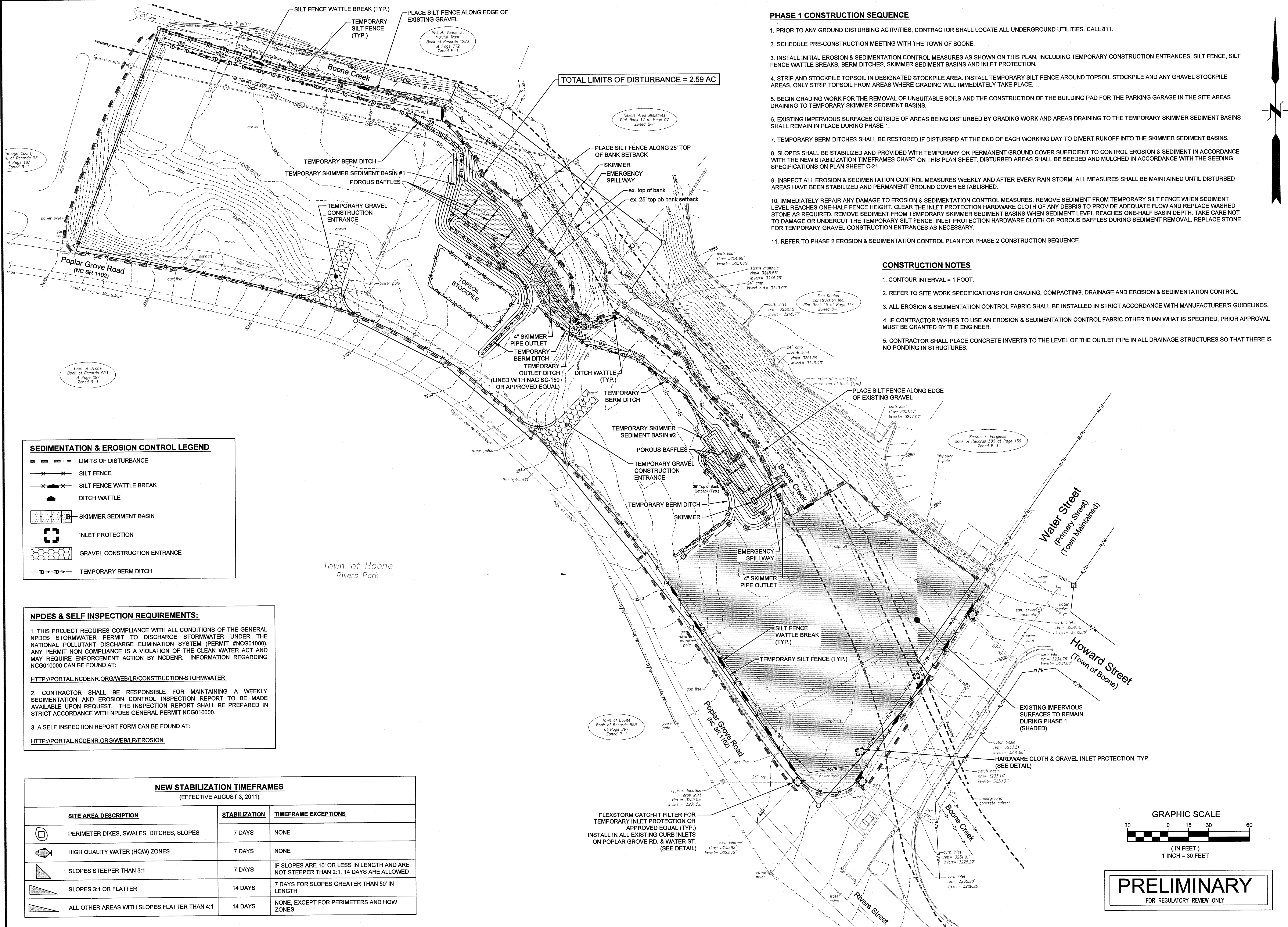
- DRAINAGE PIPE NOTES:**
- HIGH DENSITY POLYETHYLENE PIPE SHALL BE DOUBLE WALL WITH SMOOTH INTERIOR. COVER HEIGHTS SHALL BE LESS THAN 10'. PIPE MUST MEET AASHTO M294. PIPE LOCATED IN RIGHT-OF-WAY SHALL BE NC DOT APPROVED.
 - REINFORCED CONCRETE PIPE SHALL MEET AASHTO M170.
 - ALL STORM DRAINAGE PIPES SHALL HAVE 1' MINIMUM COVER
 - CONTRACTOR IS RESPONSIBLE FOR PROVIDING 6" HDPE ROOF DRAIN LEADERS FROM THE DOWNSPOUTS TO THE ROOF DRAIN HEADER ALONG WITH ALL NECESSARY CONNECTION BOOTS, FITTING, ETC. (SEE ARCHITECTURAL PLANS FOR DOWNSPOUT LOCATIONS)
 - THE ROOF DRAINS TO THE BACK OF THE BUILDING ALONG THE CREEK.

STORM DRAINAGE STRUCTURE SCHEDULE				
STRUCTURE #	TYPE	GRATE ELEVATION	INV. IN ELEVATION	INV. OUT ELEVATION
①	EX. DI	3235.50±	-	3231.50±
②	CB	*3240.90	-	3236.90
③	CB	*3234.45	3229.98	3229.97
④	EX. CI	3235.42	3224.12	3224.12
⑤	CB	*3233.50	-	3230.20
⑥	EX. CI	3232.40	3224.20	3224.20
⑦	EX. CI	3231.91	3228.27	3228.27
⑧	TD	3235.20	-	3233.10
⑨	JB	3235.90	3233.06	3233.06
⑩	EX. CI	3236.15	3232.88	3232.88

- DRAINAGE STRUCTURE NOTES:**
- EX. DI - EXISTING DROP INLET (PER SURVEY)
- EX. CI - EXISTING CURB INLET (PER SURVEY)
- CB - CATCH BASIN - NC DOT STD. DWG. 840.02 OR 840.46 WITH FRAMES, GRATES & HOOD NC DOT STD. DWG. 840.03.
- TD - TRENCH DRAIN - SEE DETAIL ON PLAN SHEET ____.
- JB - JUNCTION BOX - NC DOT STD. DWG. 840.31 OR 840.45 WITH MANHOLE ACCESS CAST INTO SLAB TOP. ADJUST RIM ELEVATIONS AS NECESSARY TO MATCH FINAL GRADE.
- * ADJUST AS NECESSARY TO EXISTING FIELD CONDITIONS. (INVERTS SHALL CONFORM TO EXISTING GRADES AT EDGE OF ROADWAY)



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PHASE 1 CONSTRUCTION SEQUENCE

1. PRIOR TO ANY GROUND DISTURBING ACTIVITIES, CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES. CALL 811.
2. SCHEDULE PRE-CONSTRUCTION MEETING WITH THE TOWN OF BOONE.
3. INSTALL INITIAL EROSION & SEDIMENTATION CONTROL MEASURES AS SHOWN ON THIS PLAN, INCLUDING TEMPORARY CONSTRUCTION ENTRANCES, SILT FENCE, SILT FENCE WATTLE BREAKS, BERM DITCHES, SKIMMER SEDIMENT BASINS AND INLET PROTECTION.
4. STRIP AND STOCKPILE TOPSOIL IN DESIGNATED STOCKPILE AREA. INSTALL TEMPORARY SILT FENCE AROUND TOPSOIL STOCKPILE AND ANY GRAVEL STOCKPILE AREAS. ONLY STRIP TOPSOIL FROM AREAS WHERE GRADING WILL IMMEDIATELY TAKE PLACE.
5. BEGIN GRADING WORK FOR THE REMOVAL OF UNSUITABLE SOILS AND THE CONSTRUCTION OF THE BUILDING PAD FOR THE PARKING GARAGE IN THE SITE AREAS DRAINING TO TEMPORARY SKIMMER SEDIMENT BASINS.
6. EXISTING IMPERVIOUS SURFACES OUTSIDE OF AREAS BEING DISTURBED BY GRADING WORK AND AREAS DRAINING TO THE TEMPORARY SKIMMER SEDIMENT BASINS SHALL REMAIN IN PLACE DURING PHASE 1.
7. TEMPORARY BERM DITCHES SHALL BE RESTORED IF DISTURBED AT THE END OF EACH WORKING DAY TO DIVERT RUNOFF INTO THE SKIMMER SEDIMENT BASINS.
8. SLOPES SHALL BE STABILIZED AND PROVIDED WITH TEMPORARY OR PERMANENT GROUND COVER SUFFICIENT TO CONTROL EROSION & SEDIMENT IN ACCORDANCE WITH THE NEW STABILIZATION TIMEFRAMES CHART ON THIS PLAN SHEET. DISTURBED AREAS SHALL BE SEEDED AND MULCHED IN ACCORDANCE WITH THE SEEDING SPECIFICATIONS ON PLAN SHEET C-21.
9. INSPECT ALL EROSION & SEDIMENTATION CONTROL MEASURES WEEKLY AND AFTER EVERY RAIN STORM. ALL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS HAVE BEEN STABILIZED AND PERMANENT GROUND COVER ESTABLISHED.
10. IMMEDIATELY REPAIR ANY DAMAGE TO EROSION & SEDIMENTATION CONTROL MEASURES. REMOVE SEDIMENT FROM TEMPORARY SILT FENCE WHEN SEDIMENT LEVEL REACHES ONE-HALF FENCE HEIGHT. CLEAR THE INLET PROTECTION HARDWARE CLOTH OF ANY DEBRIS TO PROVIDE ADEQUATE FLOW AND REPLACE WASHED STONE AS REQUIRED. REMOVE SEDIMENT FROM TEMPORARY SKIMMER SEDIMENT BASINS WHEN SEDIMENT LEVEL REACHES ONE-HALF BASIN DEPTH. TAKE CARE NOT TO DAMAGE OR UNDERCUT THE TEMPORARY SILT FENCE, INLET PROTECTION HARDWARE CLOTH OR POROUS BAFFLES DURING SEDIMENT REMOVAL. REPLACE STONE FOR TEMPORARY GRAVEL CONSTRUCTION ENTRANCES AS NECESSARY.
11. REFER TO PHASE 2 EROSION & SEDIMENTATION CONTROL PLAN FOR PHASE 2 CONSTRUCTION SEQUENCE.

CONSTRUCTION NOTES

1. CONTOUR INTERVAL = 1 FOOT.
2. REFER TO SITE WORK SPECIFICATIONS FOR GRADING, COMPACTING, DRAINAGE AND EROSION & SEDIMENTATION CONTROL.
3. ALL EROSION & SEDIMENTATION CONTROL FABRIC SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
4. IF CONTRACTOR WISHES TO USE AN EROSION & SEDIMENTATION CONTROL FABRIC OTHER THAN WHAT IS SPECIFIED, PRIOR APPROVAL MUST BE GRANTED BY THE ENGINEER.
5. CONTRACTOR SHALL PLACE CONCRETE INVERTS TO THE LEVEL OF THE OUTLET PIPE IN ALL DRAINAGE STRUCTURES SO THAT THERE IS NO PONDING IN STRUCTURES.

SEDIMENTATION & EROSION CONTROL LEGEND

- LIMITS OF DISTURBANCE
- SILT FENCE
- SILT FENCE WATTLE BREAK
- DITCH WATTLE
- SKIMMER SEDIMENT BASIN
- INLET PROTECTION
- GRAVEL CONSTRUCTION ENTRANCE
- TEMPORARY BERM DITCH

NPDES & SELF INSPECTION REQUIREMENTS:

1. THIS PROJECT REQUIRES COMPLIANCE WITH ALL CONDITIONS OF THE GENERAL NPDES STORMWATER PERMIT TO DISCHARGE STORMWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (PERMIT #NCG01000). ANY PERMIT NON COMPLIANCE IS A VIOLATION OF THE CLEAN WATER ACT AND MAY REQUIRE ENFORCEMENT ACTION BY NCDENR. INFORMATION REGARDING NCG010000 CAN BE FOUND AT:

[HTTP://PORTAL.NCDENR.ORG/WEB/LR/CONSTRUCTION-STORMWATER](http://portal.ncdenr.org/web/lr/construction-stormwater)

2. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A WEEKLY SEDIMENTATION AND EROSION CONTROL INSPECTION REPORT TO BE MADE AVAILABLE UPON REQUEST. THE INSPECTION REPORT SHALL BE PREPARED IN STRICT ACCORDANCE WITH NPDES GENERAL PERMIT NCG010000.

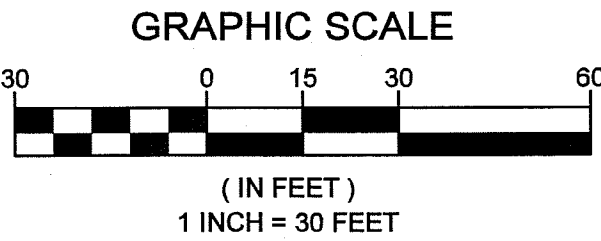
3. A SELF INSPECTION REPORT FORM CAN BE FOUND AT:

[HTTP://PORTAL.NCDENR.ORG/WEB/LR/EROSION](http://portal.ncdenr.org/web/lr/erosion)

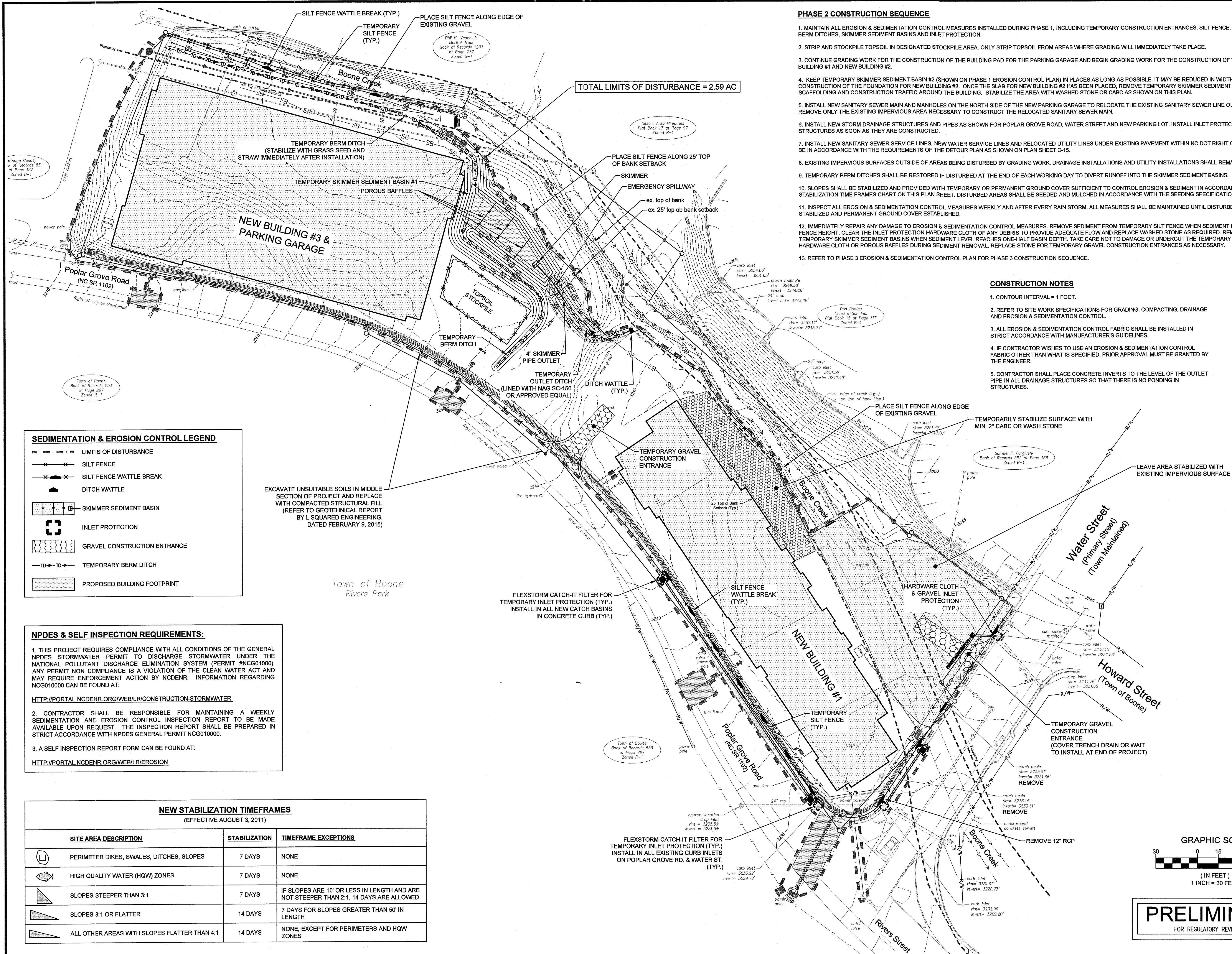
NEW STABILIZATION TIMEFRAMES

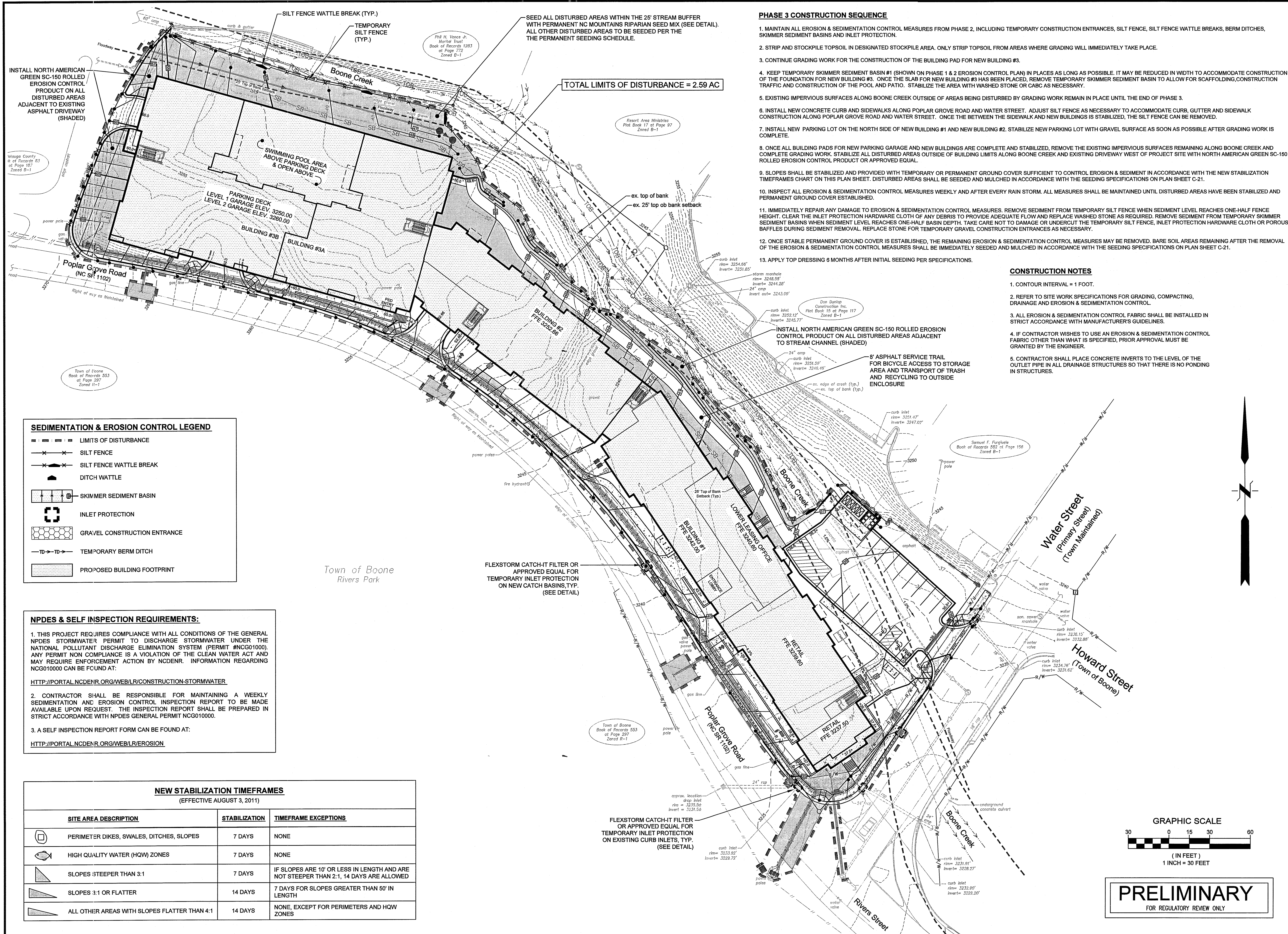
(EFFECTIVE AUGUST 3, 2011)

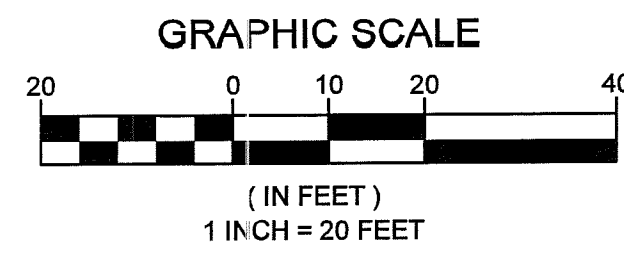
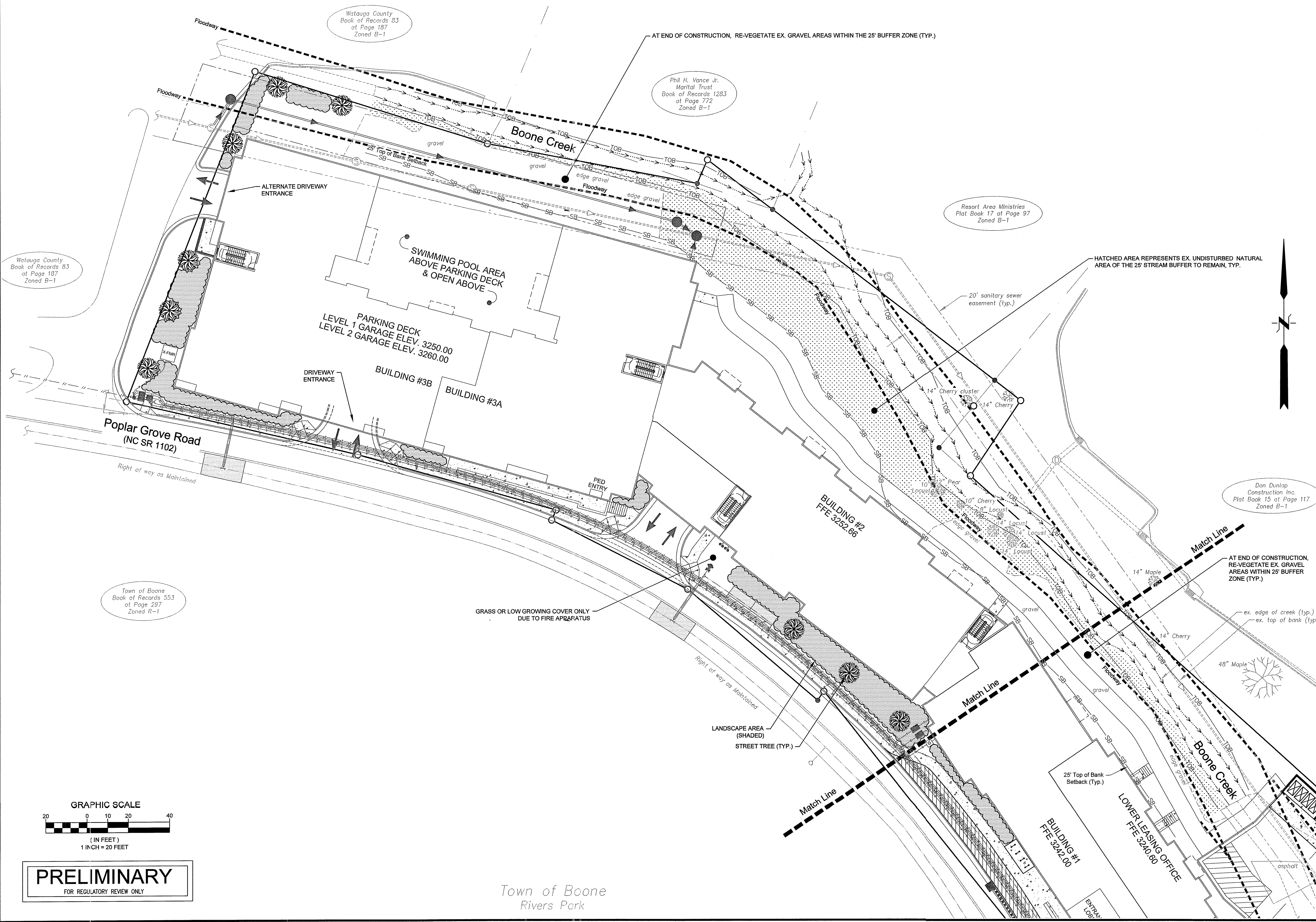
SITE AREA DESCRIPTION	STABILIZATION	TIMEFRAME EXCEPTIONS
PERIMETER DIKES, SWALES, DITCHES, SLOPES	7 DAYS	NONE
HIGH QUALITY WATER (HQW) ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES GREATER THAN 50' IN LENGTH
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE, EXCEPT FOR PERIMETERS AND HQW ZONES



PRELIMINARY
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Town of Boone
Rivers Park

Engineering Company, P.A.
P.O. BOX 97 GARNER, N.C. 27807
(619) 722-5383
LICENSE NUMBER: C-0281

Municipal Services

**RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

DATE	BY	REV.	DESCRIPTION
2-25-16	EGT		DATE
			BY
			REV.
			DESCRIPTION

SCALE: 1" = 20'
DATE: 2-25-16
DRWN. BY: EGT
CHKD. BY: AJC
PROJECT NUMBER: B13057.3
DRAWING NO.: C-12
SHEET NO.: 12 OF 14

Engineering
Company, P.A.



Municipal
Services

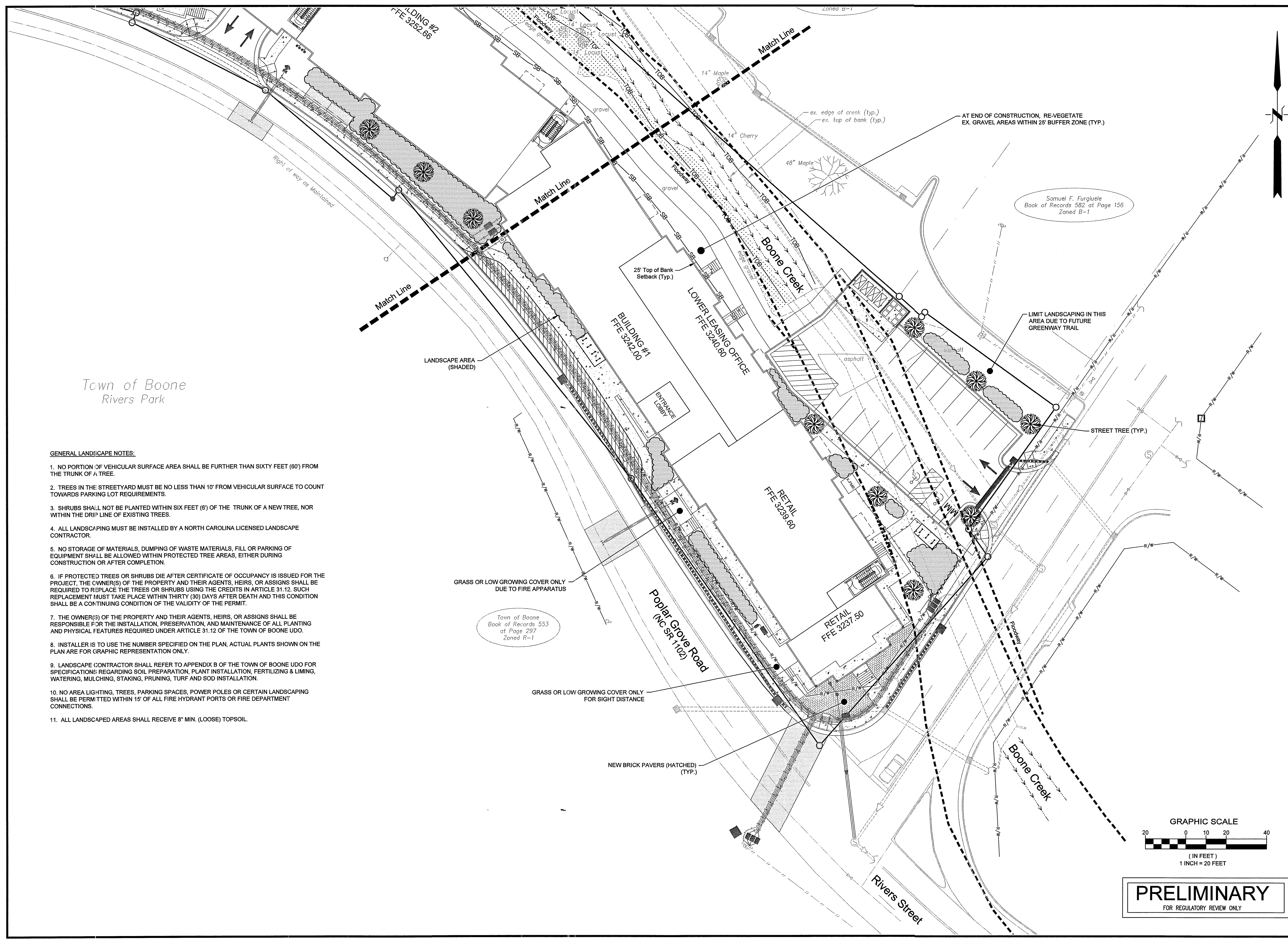
P.O. BOX 349 BOONE, N.C. 28607
(828) 262-1767
LICENSE NUMBER: C-0281

P.O. BOX 97 GARNER, N.C. 27529
(919) 772-5393

RIVERS WALK
McKINLEY BOONE, LLC
WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA

Communication: Original Submittal: Rivers Walk Site Plans (Rivers Walk Original Submittal Information)

DESCRIPTION			
DATE	BY	REV.	
PRELIMINARY LANDSCAPE PLAN SHEET 2 OF 2			
SCALE: 1" = 20'			
DATE: 2-25-16			
DRWN. BY: EGT			
CHKD. BY: A/JC			
PROJECT NUMBER B13057.3			
DRAWING NO. C-13		SHEET NO. 13 OF 14	



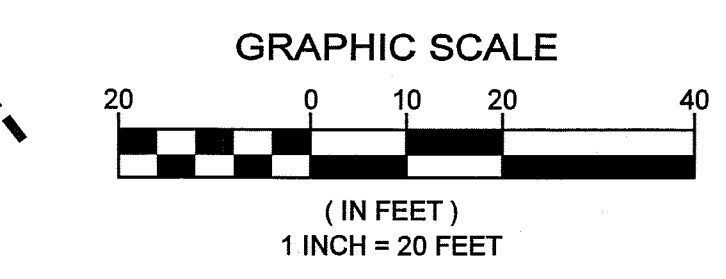
Town of Boone
Rivers Park

GENERAL LANDSCAPE NOTES:

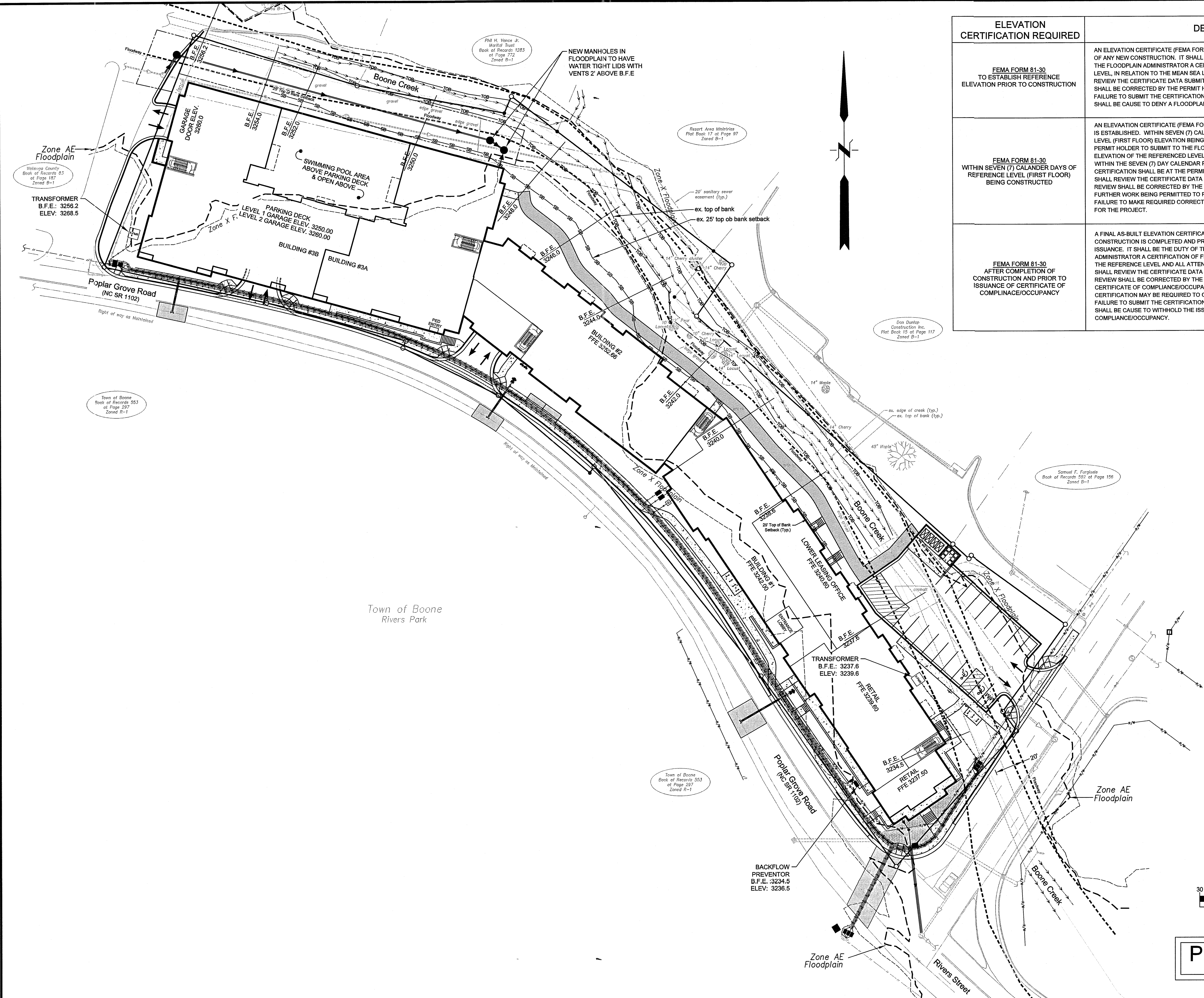
1. NO PORTION OF VEHICULAR SURFACE AREA SHALL BE FURTHER THAN SIXTY FEET (60') FROM THE TRUNK OF A TREE.
2. TREES IN THE STREETYARD MUST BE NO LESS THAN 10' FROM VEHICULAR SURFACE TO COUNT TOWARDS PARKING LOT REQUIREMENTS.
3. SHRUBS SHALL NOT BE PLANTED WITHIN SIX FEET (6') OF THE TRUNK OF A NEW TREE, NOR WITHIN THE DRIP LINE OF EXISTING TREES.
4. ALL LANDSCAPING MUST BE INSTALLED BY A NORTH CAROLINA LICENSED LANDSCAPE CONTRACTOR.
5. NO STORAGE OF MATERIALS, DUMPING OF WASTE MATERIALS, FILL OR PARKING OF EQUIPMENT SHALL BE ALLOWED WITHIN PROTECTED TREE AREAS, EITHER DURING CONSTRUCTION OR AFTER COMPLETION.
6. IF PROTECTED TREES OR SHRUBS DIE AFTER CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE PROJECT, THE OWNER(S) OF THE PROPERTY AND THEIR AGENTS, HEIRS, OR ASSIGNS SHALL BE REQUIRED TO REPLACE THE TREES OR SHRUBS USING THE CREDITS IN ARTICLE 31.12. SUCH REPLACEMENT MUST TAKE PLACE WITHIN THIRTY (30) DAYS AFTER DEATH AND THIS CONDITION SHALL BE A CONTINUING CONDITION OF THE VALIDITY OF THE PERMIT.
7. THE OWNER(S) OF THE PROPERTY AND THEIR AGENTS, HEIRS, OR ASSIGNS SHALL BE RESPONSIBLE FOR THE INSTALLATION, PRESERVATION, AND MAINTENANCE OF ALL PLANTING AND PHYSICAL FEATURES REQUIRED UNDER ARTICLE 31.12 OF THE TOWN OF BOONE UDO.
8. INSTALLER IS TO USE THE NUMBER SPECIFIED ON THE PLAN, ACTUAL PLANTS SHOWN ON THE PLAN ARE FOR GRAPHIC REPRESENTATION ONLY.
9. LANDSCAPE CONTRACTOR SHALL REFER TO APPENDIX B OF THE TOWN OF BOONE UDO FOR SPECIFICATIONS REGARDING SOIL PREPARATION, PLANT INSTALLATION, FERTILIZING & LIMING, WATERING, MULCHING, STAKING, PRUNING, TURF AND SOD INSTALLATION.
10. NO AREA LIGHTING, TREES, PARKING SPACES, POWER POLES OR CERTAIN LANDSCAPING SHALL BE PERMITTED WITHIN 15' OF ALL FIRE HYDRANT PORTS OR FIRE DEPARTMENT CONNECTIONS.
11. ALL LANDSCAPED AREAS SHALL RECEIVE 8" MIN. (LOOSE) TOPSOIL.

Town of Boone
Book of Records 553
at Page 297
Zoned R-1

Samuel F. Furgiuele
Book of Records 582 at Page 156
Zoned B-1



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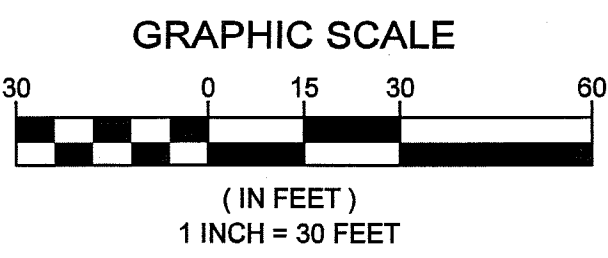


ELEVATION CERTIFICATION REQUIRED	DESCRIPTION
FEMA FORM 81-30 TO ESTABLISH REFERENCE ELEVATION PRIOR TO CONSTRUCTION	AN ELEVATION CERTIFICATE (FEMA FORM 81-31) IS REQUIRED PRIOR TO THE ACTUAL START OF ANY NEW CONSTRUCTION. IT SHALL BE THE DUTY OF THE PERMIT HOLDER TO SUBMIT TO THE FLOODPLAIN ADMINISTRATOR A CERTIFICATION OF THE ELEVATION OF THE REFERENCE LEVEL, IN RELATION TO THE MEAN SEA LEVEL. THE FLOODPLAIN ADMINISTRATOR SHALL REVIEW THE CERTIFICATE DATA SUBMITTED. DEFICIENCIES DETECTED BY SUCH REVIEW SHALL BE CORRECTED BY THE PERMIT HOLDER PRIOR TO THE BEGINNING OF CONSTRUCTION. FAILURE TO SUBMIT THE CERTIFICATION OR FAILURE TO MAKE REQUIRED CORRECTIONS SHALL BE CAUSE TO DENY A FLOODPLAIN DEVELOPMENT PERMIT.
FEMA FORM 81-30 WITHIN SEVEN (7) CALENDAR DAYS OF REFERENCE LEVEL (FIRST FLOOR) BEING CONSTRUCTED	AN ELEVATION CERTIFICATE (FEMA FORM 81-31) IS REQUIRED AFTER THE REFERENCE LEVEL IS ESTABLISHED. WITHIN SEVEN (7) CALENDAR DAYS OF ESTABLISHMENT OF THE REFERENCE LEVEL (FIRST FLOOR) ELEVATION BEING CONSTRUCTED, IT SHALL BE THE DUTY OF THE PERMIT HOLDER TO SUBMIT TO THE FLOODPLAIN ADMINISTRATOR A CERTIFICATION OF THE ELEVATION OF THE REFERENCED LEVEL, IN RELATION TO MEAN SEA LEVEL. ANY WORK DONE WITHIN THE SEVEN (7) DAY CALENDAR PERIOD AND PRIOR TO SUBMISSION OF THE CERTIFICATION SHALL BE AT THE PERMIT HOLDER'S RISK. THE FLOODPLAIN ADMINISTRATOR SHALL REVIEW THE CERTIFICATE DATA SUBMITTED. DEFICIENCIES DETECTED BY SUCH REVIEW SHALL BE CORRECTED BY THE PERMIT HOLDER IMMEDIATELY AND PRIOR TO FURTHER WORK BEING PERMITTED TO PROCEED. FAILURE TO SUBMIT THE CERTIFICATION OR FAILURE TO MAKE REQUIRED CORRECTIONS SHALL BE CAUSE TO ISSUE A STOP-WORK ORDER FOR THE PROJECT.
FEMA FORM 81-30 AFTER COMPLETION OF CONSTRUCTION AND PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLINACE/OCCUPANCY	A FINAL AS-BUILT ELEVATION CERTIFICATE (FEMA FORM 81-31) IS REQUIRED AFTER CONSTRUCTION IS COMPLETED AND PRIOR TO CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUANCE. IT SHALL BE THE DUTY OF THE PERMIT HOLDER TO SUBMIT TO THE FLOODPLAIN ADMINISTRATOR A CERTIFICATION OF FINAL AS-BUILT CONSTRUCTION OF THE ELEVATION OF THE REFERENCE LEVEL AND ALL ATTENDANT UTILITIES. THE FLOODPLAIN ADMINISTRATOR SHALL REVIEW THE CERTIFICATE DATA SUBMITTED. DEFICIENCIES DETECTED BY SUCH REVIEW SHALL BE CORRECTED BY THE PERMIT HOLDER IMMEDIATELY AND PRIOR TO CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUANCE. IN SOME INSTANCES, ANOTHER CERTIFICATION MAY BE REQUIRED TO CERTIFY CORRECTED AS-BUILT CONSTRUCTION. FAILURE TO SUBMIT THE CERTIFICATION OR FAILURE TO MAKE REQUIRED CORRECTIONS SHALL BE CAUSE TO WITHHOLD THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE/OCCUPANCY.

- NOTES:**
1. ALL UTILITIES SHALL BE LOCATED A MINIMUM OF 2' ABOVE BASE FLOOD ELEVATION.
 2. HVAC EQUIPMENT SHALL BE LOCATED ON THE ROOF OF THE PROPOSED BUILDINGS.
 3. THE FINISHED FLOOR OF THE PROPOSED BUILDINGS SHALL AT LEAST 2' ABOVE THE BASE FLOOD ELEVATION. INCIDENTAL AREAS NOT 2' ABOVE BASE FLOOD ELEVATIONS SHALL BE FLOOD PROOFED.
 4. THE CONTRACTOR IS REQUIRED TO PROVIDE THE THREE REQUIRED FLOOD ELEVATIONS FOR THE PROPOSED BUILDING: PRE-CONSTRUCTION, AFTER FIRST FLOOR IS ESTABLISHED, AND FINAL CONSTRUCTION

PROJECT DESCRIPTION:
REDEVELOPMENT OF THE SITE AND CONSTRUCTION OF A NEW MULTI-BUILDING MIXED USE PROJECT.

- BASE FLOOD ELEVATION:**
1. THE BASE FLOOD ELEVATIONS VARY FOR THE BUILDINGS. SEE PLAN. ELEVATION TAKEN FROM THE THE NORTH CAROLINA FLOOD MAPPING PROGRAM.
 2. ALL FINISHED FLOOR ARE PLANNED TO BE A MINIMUM OF 2 FEET ABOVE BASE FLOOD ELEVATION. ANY INCIDENTAL AREAS NOT 2 FEET ABOVE BASE FLOOD ELEVATION WILL BE FLOOD PROOFED. ALL REQUIREMENT OF THE TOWN OF BOONE'S FLOOD DAMAGE PREVENTION ORDINANCE WILL BE MET.



PRELIMINARY
FOR REGULATORY REVIEW ONLY

Engineering
Company, P.A.

Municipal
Services

P.O. BOX 348 BOONE, N.C. 28607
(828) 262-1767
LICENSE NUMBER: C-0281

P.O. BOX 87 GARNER, N.C. 27529
(919) 772-5393

**McKINLEY BOONE
HARROD/AP, LLC**
**WATER STREET & POPLAR GROVE ROAD
BOONE, NORTH CAROLINA**

DESCRIPTION	
DATE	REV.
SPECIAL FLOOD HAZARD AREA PLAN	
SCALE: 1" = 30'	
DATE: 2-25-16	
DRWN. BY: EGT	
CHKD. BY: A/C	
PROJECT NUMBER B13057.3	
DRAWING NO. C-14	SHEET NO. 14 OF 14

Mixed Use Development

Boone, North Carolina



Mixed Use Development

Boone, North Carolina



Communication: Original Submittal: Rivers Walk Architectural Plans (Rivers Walk Original Submittal Information)

Mixed Use Development

Boone, North Carolina



Mixed Use Development

Boone, North Carolina

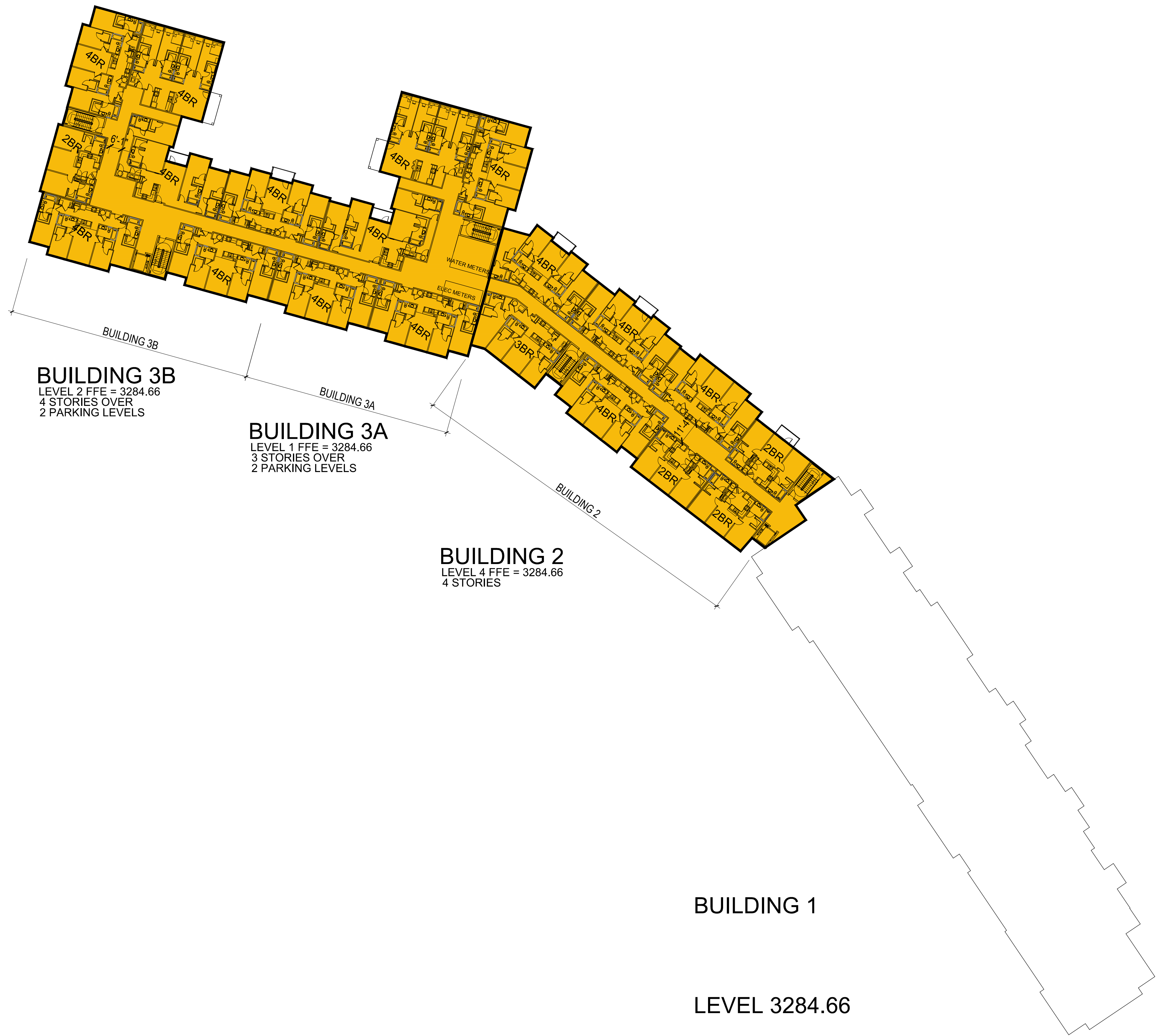


6.B.6



Mixed Use Development

Boone, North Carolina

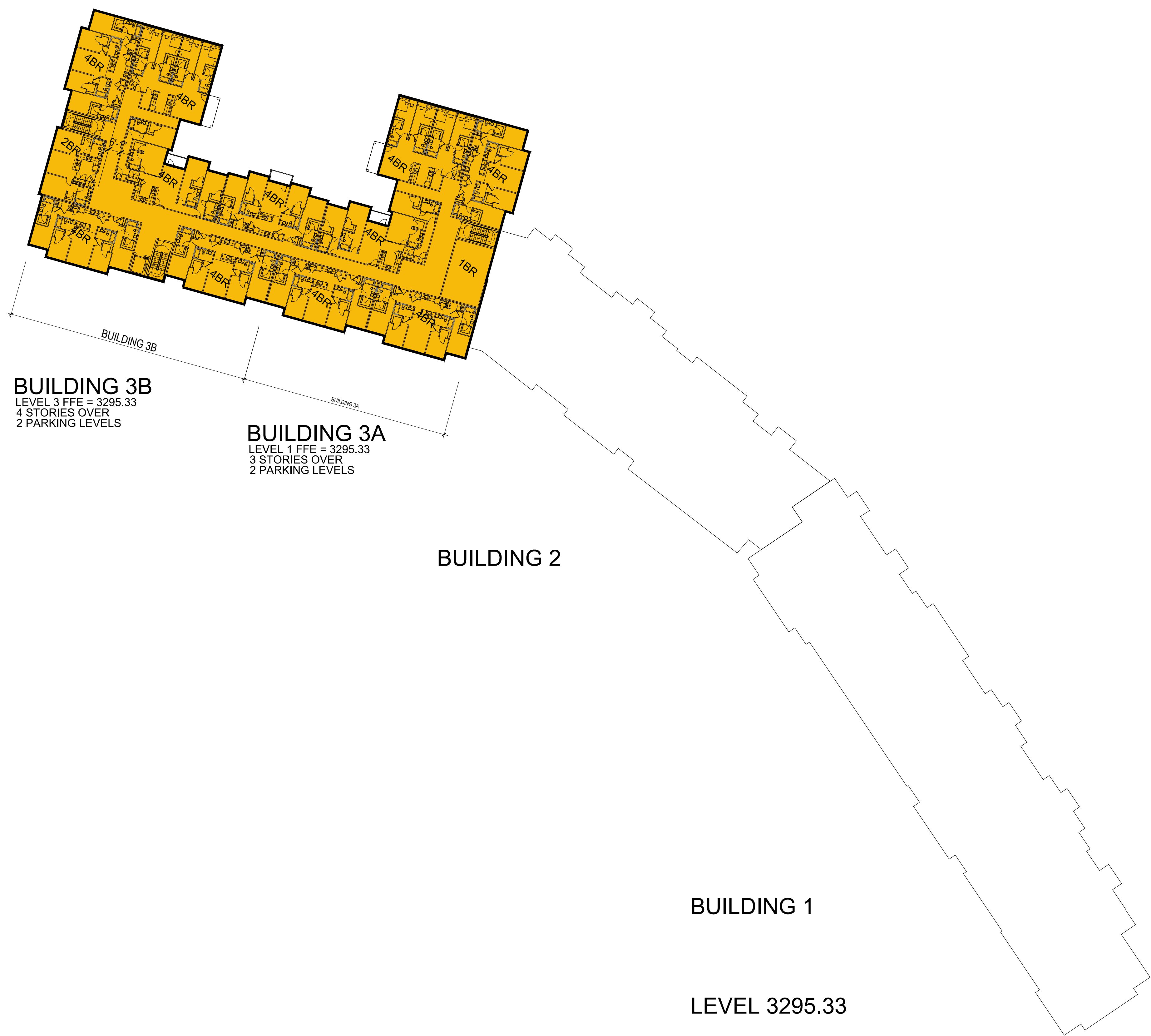


SITE PLAN

0' 10' 20' 50'

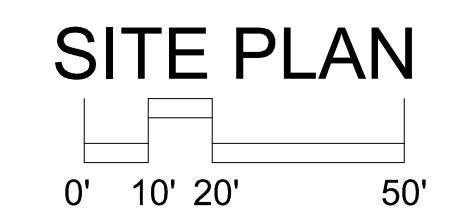
Mixed Use Development

Boone, North Carolina



SITE PLAN
0' 10' 20' 50'

Boone, North Carolina



Mixed Use Development

Boone, North Carolina



BUILDING 1B
POPLAR GROVE ROAD FACADE

ENTRY
AT FFE 3239.60

- STUCCO
- METAL RAILING
- VINYL WINDOW
- FIBER CEMENT BOX BAY
- BUFF BRICK VENEER
- RED BRICK VENEER
- METAL CANOPY
- STOREFRONT SYSTEM
- STONE VENEER



BUILDING 1A
POPLAR GROVE ROAD FACADE



BUILDING 1A
WATER STREET FACADE

ENTRY
AT FFE 3237.50

		15'-1 7/8"	10'-7 7/8"	9'-1"	3'-0"	2'-0"	9'-1"
							39'-10 3/4"
RETAIL	3237.50						
APTS	3252.66						
APTS	3263.33						

Mixed Use Development

Boone, North Carolina



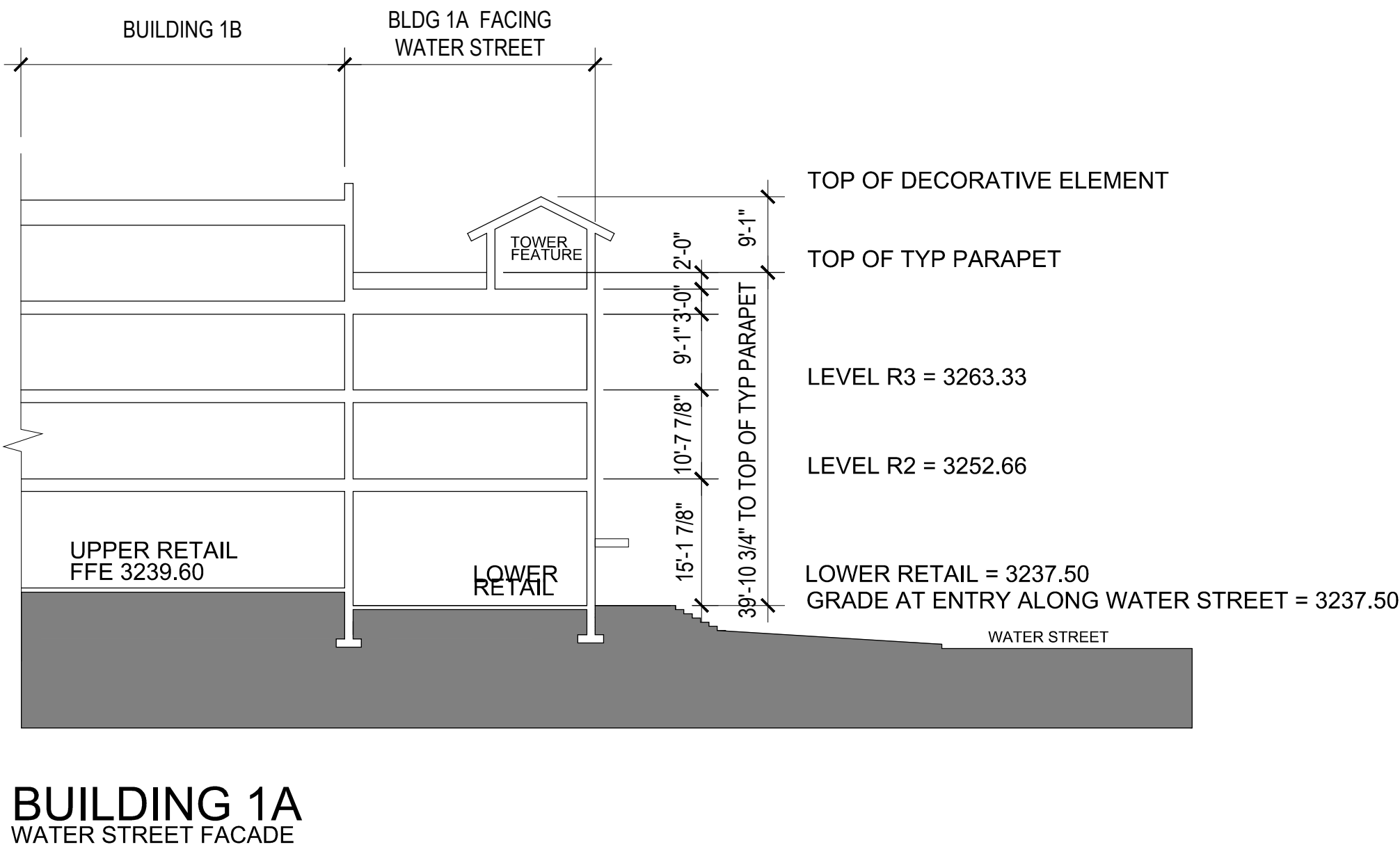
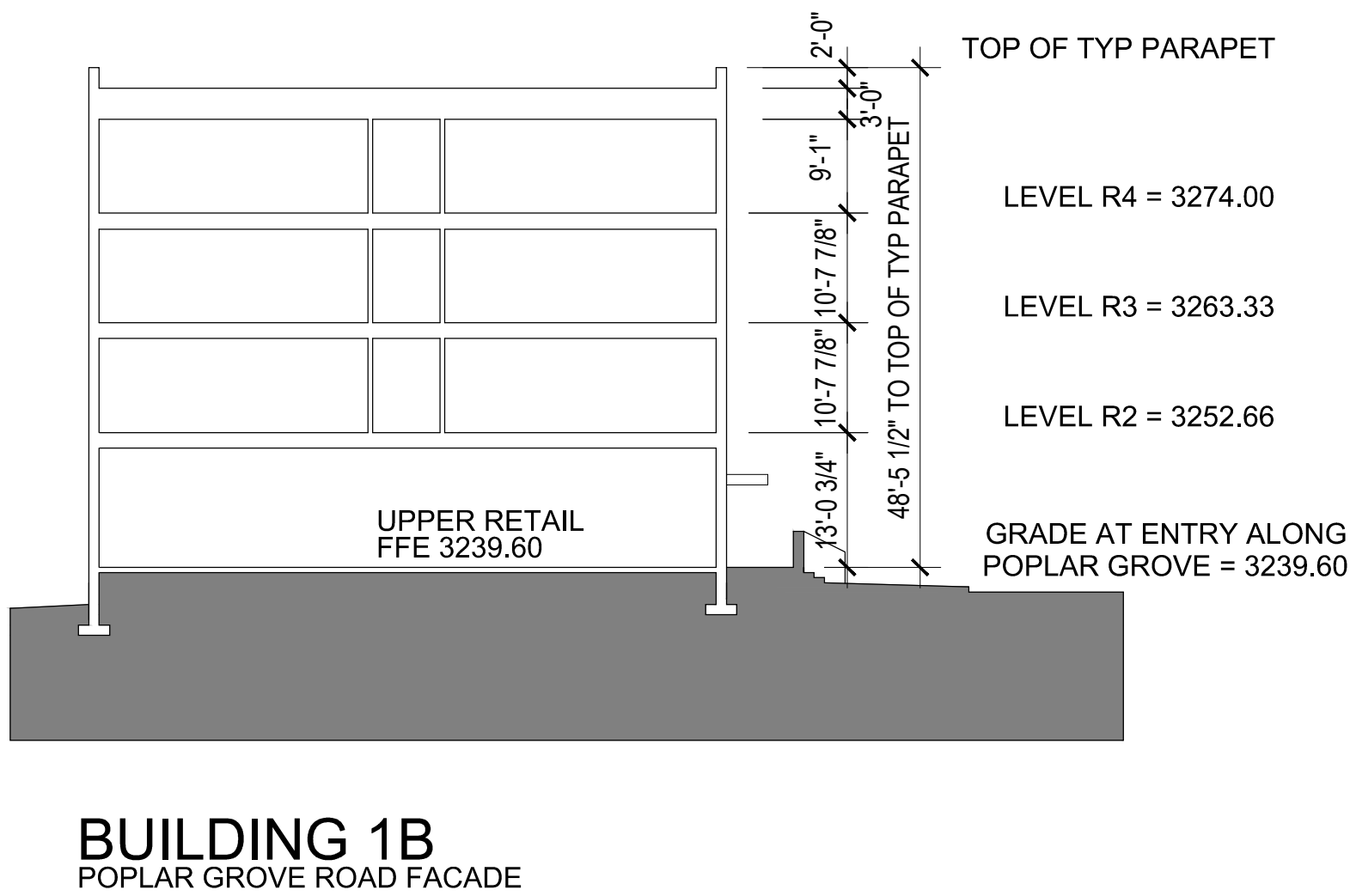
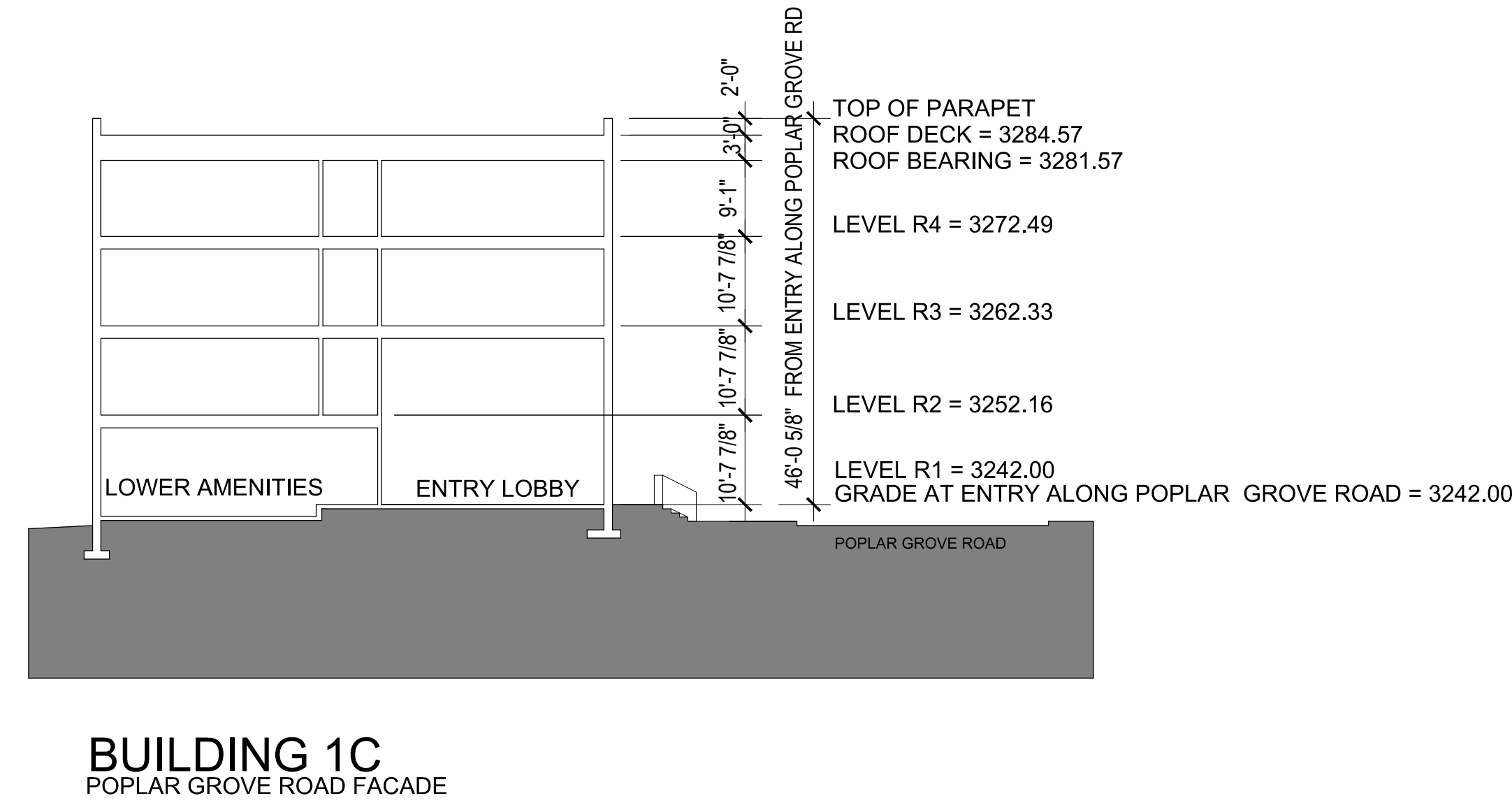
Mixed Use Development

Boone, North Carolina

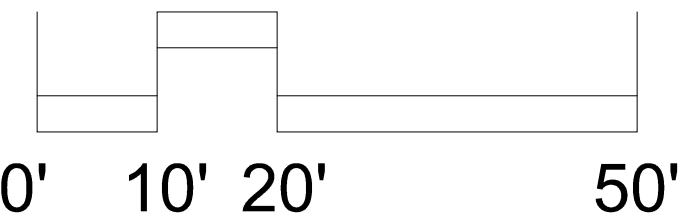


Mixed Use Development

Boone, North Carolina

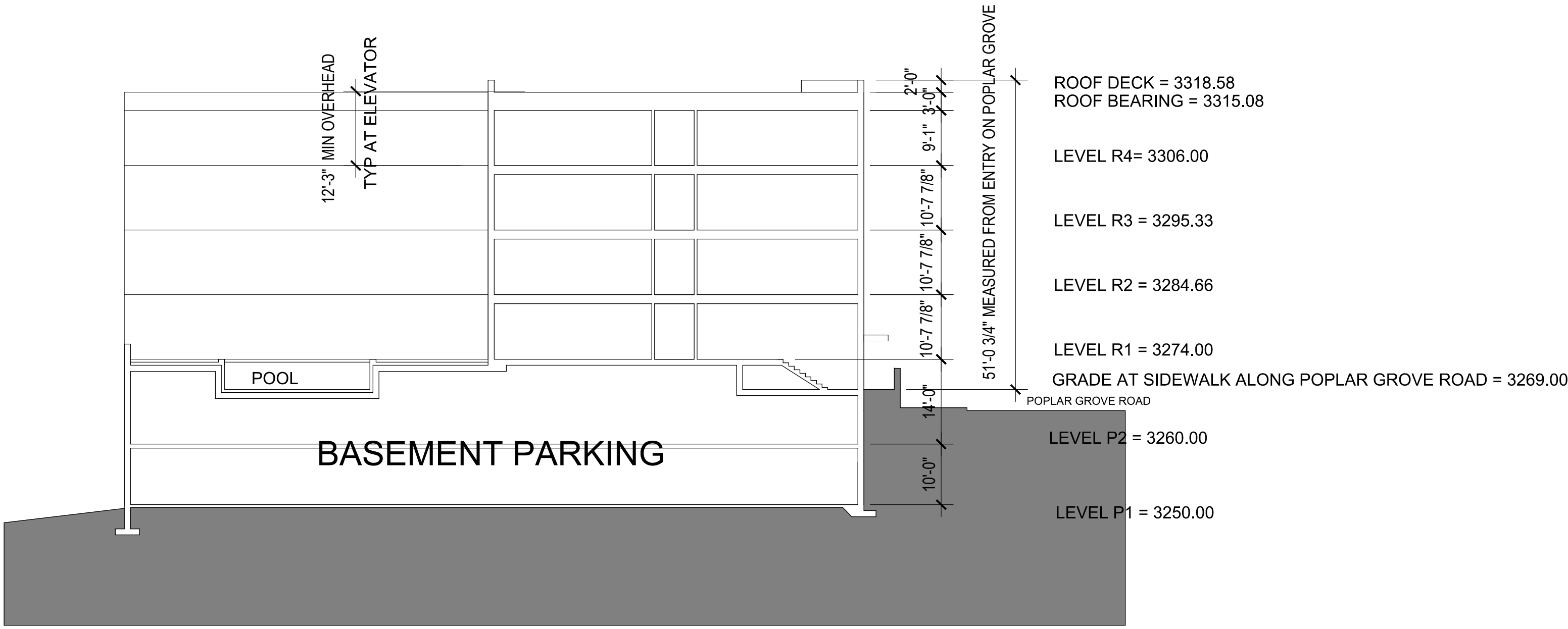


BUILDING SECTIONS

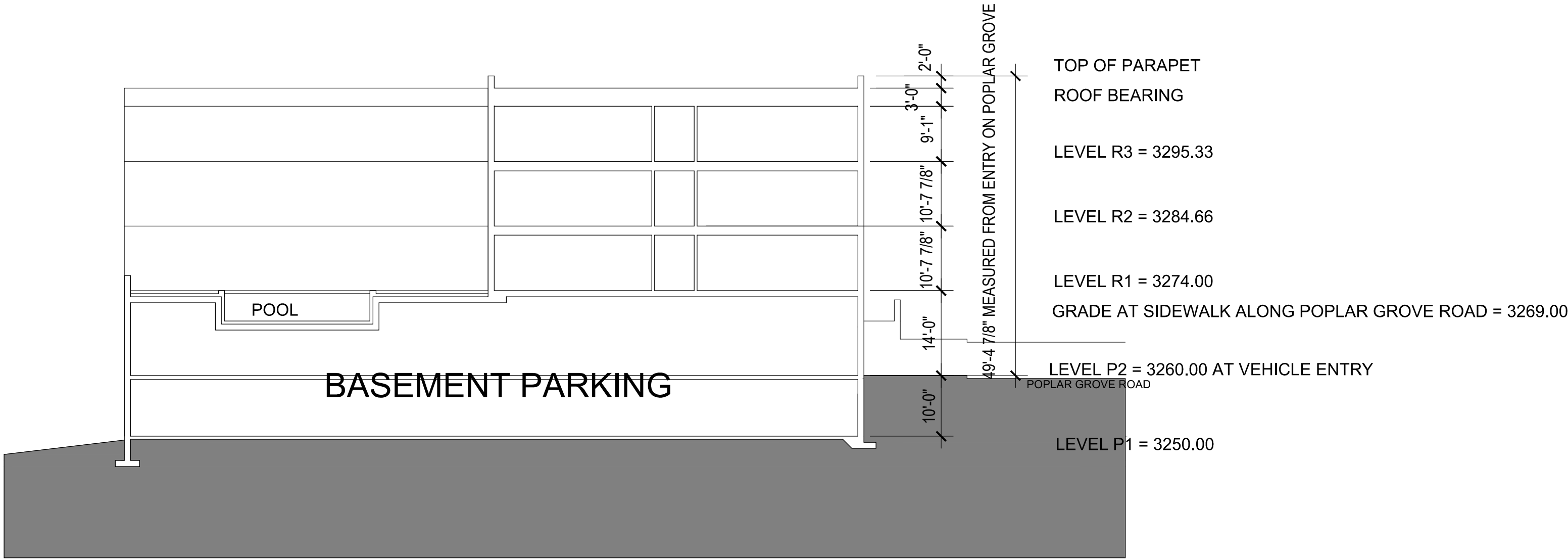


Mixed Use Development

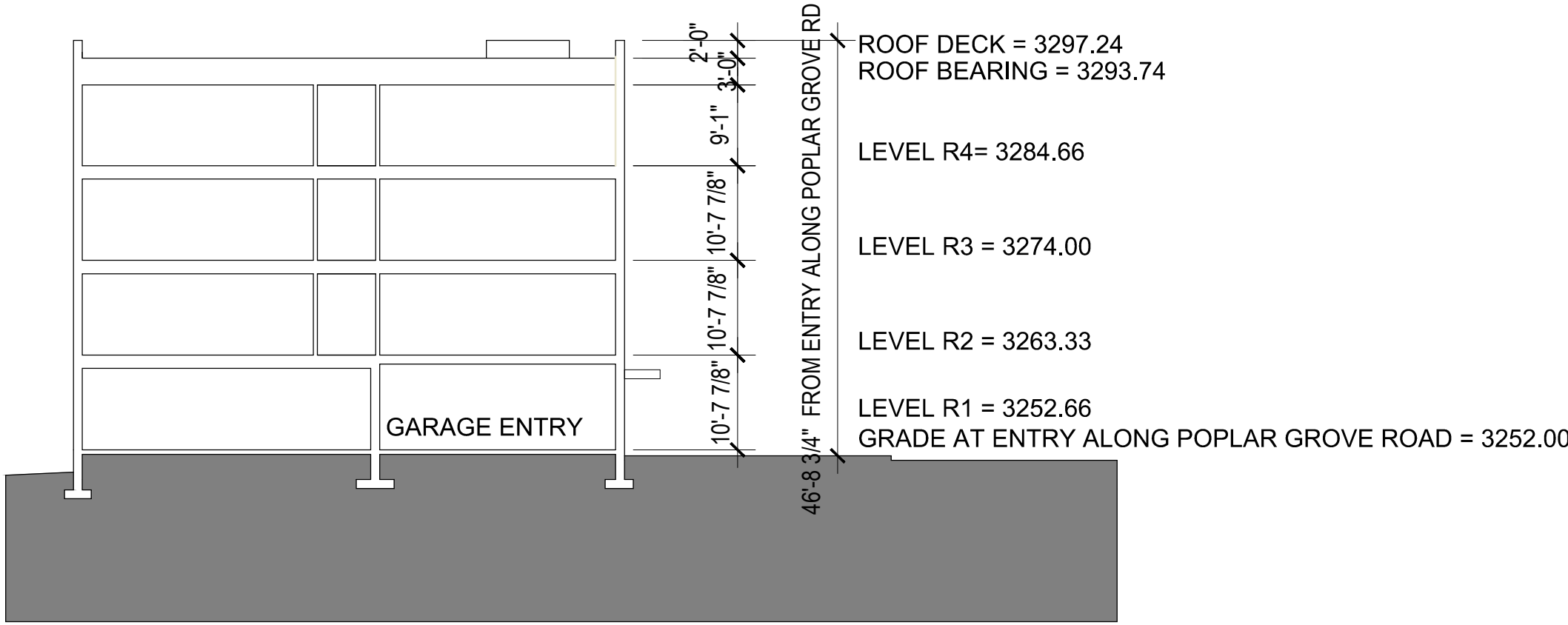
Boone, North Carolina



BUILDING 3B
WEST END - 4 LEVEL PORTION

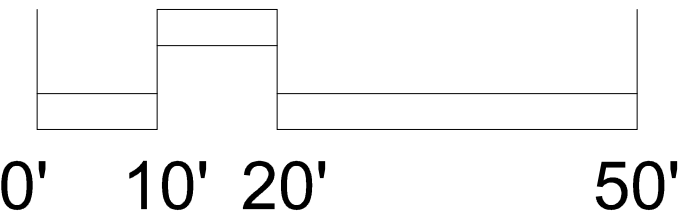


BUILDING 3A
EAST END - 3 LEVEL PORTION



BUILDING 2
POPLAR GROVE ROAD FACADE

BUILDING SECTIONS



Mixed Use Development

Boone, North Carolina

GLAZING CALCULATIONS	
PER UNIFIED DEVELOPMENT ORDINANCE 15.11.02	
WATER STREET FACADE PRIMARY STREET	
AREA OF LEVEL 1 FACADE AT BUILDING 1A=	642 SF
REQUIRED GLAZING 60% OF FACADE	= 385 SF
GLAZING PROPOSED	= MIN 385 SF
***THE MINIMUM GLAZING REQUIREMENT IS PROVIDED AT THE RETAIL STOREFRONT WALL WHICH IS BEHIND THE ARCADE AT LEVEL 1.	
***FIRST FLOOR STREET LEVEL FACADE AREA IS MEASURED FROM FFE OF EACH SECTION OF BUILDING TO 12' AFF OR THE FLOOR LEVEL ABOVE, WHICHEVER IS LESS.	

GLAZING CALCULATIONS	
PER UNIFIED DEVELOPMENT ORDINANCE 15.11.02	
POPLAR GROVE ROAD FACADE NON-PRIMARY STREET	
AREA OF LEVEL 1 FACADE AT BUILDING 1A=	385 SF
AREA OF LEVEL 1 FACADE AT BUILDING 1B=	1572 SF
AREA OF LEVEL 1 FACADE AT BUILDING 1C=	1493 SF
AREA OF LEVEL 1 FACADE AT BUILDING 2=	1890 SF
AREA OF LEVEL 1 FACADE AT BUILDING 3A=	1473 SF
AREA OF LEVEL 1 FACADE AT BUILDING 3B=	1533 SF
TOTAL AREA OF LEVEL 1 FACADE	= 8346 SF
REQUIRED GLAZING 30% OF FACADE	= 2504 SF
GLAZING PROPOSED	= 2524 SF
***FIRST FLOOR STREET LEVEL FACADE AREA IS MEASURED FROM FFE OF EACH SECTION OF BUILDING TO 12' AFF OR THE FLOOR LEVEL ABOVE, WHICHEVER IS LESS.	

COMMUNITY APPEARANCE STANDARDS					
BUILDING DESIGN - PEDESTRIAN ORIENTATION PER UNIFIED DEVELOPMENT ORDINANCE 25.02.01					
A. PRIMARY FACADE AND MAIN BUILDING ENTRANCE LOCATED ON PRIMARY PUBLIC WAY. B. N/A C.1 N/A C.2 N/A C.3 AREA OF GROUND FLOOR WINDOWS OR WINDOW DISPLAYS MUST EXCEED 10% OF STREET FACING GROUND FLOOR WALL AREA. WALL SURFACE OF GROUND FLOOR STREET FACADES = 8,988 SF REQUIRED WINDOWS AT 10% OF FACADE = 899 SF WINDOW AREA PROPOSED = 2477 SF					
***FIRST FLOOR STREET LEVEL FACADE AREA IS MEASURED FROM FFE OF EACH SECTION OF BUILDING TO 12' AFF OR THE FLOOR LEVEL ABOVE, WHICHEVER IS LESS. ***WINDOW AREA EXCLUDES ALL DOORS					
BUILDING DESIGN - EXTERIOR WALLS PER UNIFIED DEVELOPMENT ORDINANCE 25.02.02					
BUILDING:	LENGTH OF BLDG SEGMENT:	MIN. NUMBER OF PLAN FEATURE TYPES :		MIN. NUMBER OF PLAN TOTAL FEATURES :	
		REQUIRED:	PROPOSED:	REQUIRED:	PROPOSED:
1A	84'	4	4	12	29
1B	120'	5	5	16	54
1C	140'	5	5	16	48
2	175'	5	5	16	71
3A	106'	4	4	12	36
3B	125'	5	5	16	45
BUILDING:	HEIGHT OF BLDG SEGMENT:	MIN. NUMBER OF ELEVATION FEATURE TYPES :			
		REQUIRED:	PROPOSED:		
1A	39'-10 3/4"	4	4		
1B	48'-5 1/2"	4	5		
1C	46'-0 5/8"	4	5		
2	46'-8 3/4"	4	5		
3A	49'-4 7/8"	5	4		
3B	51'-0 3/4"	5	5		

BUILDING DESIGN - EXTERIOR WALLS PER UNIFIED DEVELOPMENT ORDINANCE 25.02.02	
BUILDING 1A:	
FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	1
COLONNADE	1
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	4
COVERED ENTRIES OR PORTICOS	
WINDOWS MIN SIZE 2'-8" x 3'-4"	21
TRELLISES	
PILASTERS	
OTHER FEATURES	
TOTAL:	29
BUILDING 1B:	
FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	7
COVERED ENTRIES OR PORTICOS	
WINDOWS MIN SIZE 2'-8" x 3'-4"	44
TRELLISES	
PILASTERS	1
OTHER FEATURES	
TOTAL:	54
BUILDING 1C:	
FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	3
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	42
TRELLISES	
PILASTERS	
OTHER FEATURES	
TOTAL:	48
BUILDING 2:	
FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	1
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	1
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	66
TRELLISES	
PILASTERS	
OTHER FEATURES	
TOTAL:	71
BUILDING 3A:	
FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	1
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	1
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	31
TRELLISES	
PILASTERS	
OTHER FEATURES	
TOTAL:	36
BUILDING 3B:	
FEATURE TYPE:	# PER:
OFFSETS 4' OR GREATER	
COLONNADE	
CHANGE IN MATERIAL	2
AWNINGS OR CANOPIES	1
COVERED ENTRIES OR PORTICOS	1
WINDOWS MIN SIZE 2'-8" x 3'-4"	41
TRELLISES	
PILASTERS	
OTHER FEATURES	
TOTAL:	45

BUILDING DATA



CASE 20160136 RIVERS WALK PLANNED DEVELOPMENT ZONING MAP AMENDMENT

Request

Jeff Githens with McKinley Boone, LLC has filed a Zoning Map Amendment Petition for a planned development consisting of a mixed-use building containing both residential and commercial uses, including a parking deck for properties located at 178 South Water Street, 190 and 208 Poplar Grove Road. The building will contain 119 dwelling units with 380 bedrooms; with the following uses proposed to be allowed for the commercial portion of the building 11.06 Restaurant $\leq 2,500$ ft² open to the public during 10 pm – 6 am, 11.07 Other Restaurants $\leq 2,500$ ft², 11.08 Restaurant $> 2,500$ ft² open to the public during 10 pm – 6 am, 11.09 Other Restaurants $> 2,500$ ft², 11.12 Personal Service Establishment open to the public during 10 pm – 6 am, 11.13 Other Personal Service Establishments, 11.14 Retail Store up to 5,000 ft², 11.15 Retail Store more than 5,000 but less than 25,000 ft², 11.18 Business or Profession Office open to the public during 10 pm – 6 am, 11.19 Other Business or Professional Office, 11.23 Medical Office, Category 4, 12.10 Recreation Facility, Category 1, and 14.02 Brewpub.

History

- 11-06-2014 Board of Adjustment granted two variances related to this project as outlined below (see minutes related to these approvals in Exhibit A):
1. UDO Subsection 15.11.02(J): The applicant was granted a variance to UDO Subsection 15.11.02(J) to reduce the minimum building footprint from 50% to 40%.
 2. UDO Subsection 16.08.05: The applicant was granted a variance to UDO Subsection 16.08.05 to allow the building to exceed the 35' height requirement when the building is within 100' feet of a R1 zoned property.
- 02-23-2015: Town Council approved with conditions a conditional district zoning map amendment request, vested for 2 years, to rezone the properties at 178 South Water Street and 190 and 208 Poplar Grove Road from B1 Central Business to Conditional District B1 with a site specific development plan for a mixed use project- Rivers Walk (see minutes related to this approval in Exhibit B). This development included 16,647 square feet of commercial area, 145 apartments with 380 bedrooms, and a parking deck. Uses approved within the commercial area include: 11.06 Restaurant $\leq 2,500$ ft² open to the public during 10 pm – 6 am, 11.07 Other Restaurants $\leq 2,500$ ft², 11.08 Restaurant $> 2,500$ ft² open to the public during 10 pm – 6 am, 11.09 Other Restaurants $> 2,500$ ft², 11.12 Personal Service Establishment open to the public during 10 pm – 6 am, 11.13 Other Personal Service Establishments, 11.14 Retail Store up to 5,000 ft², 11.15 Retail Store more than 5,000 but less than 25,000 ft², 11.18 Business or Profession Office open to the public during 10 pm – 6 am, 11.19 Other Business or Professional Office, 11.23 Medical Office, Category 4, 12.10 Recreation Facility, Category 1, and 14.02 Brewpub.
- Conditions of Approval:
1. Where there is a conflict between the application information and the plans (bearing a received date of January 26, 2014), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
 2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a

condition of the permit, and a basis for a stop work order and/or permit revocation if violated.

3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. The Town of Boone will be given the necessary easements for public sidewalks which leave existing street right-of-way.
5. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
6. Applicant shall demonstrate adequate parking for the development.
7. Applicant shall build the courtyard as demonstrated on the drawing submitted by Bill Dixon on February 9, 2015 at the Planning Commission meeting.
8. The applicant shall provide an easement for 8' minimum greenway along Boone Creek through the development of the property.

The original Rivers Walk development is vested until February 24, 2017 or until the property is rezoned. The developers are requesting a new plan approval through the planned development process recently adopted by Council, which equates to the properties being rezoned.

Planned Development Procedural Information

Per UDO Subsection 14.05.01(B):

A PD creates a sui generis (unique) zoning district not limited to the authorized uses and the development standards of a specific existing zoning district and may be subjected to conditions that make the development plan more desirable. A PD is intended to permit the establishment of areas in which diverse uses may be combined and integrated through careful planning to provide a unified and compatible development which is consistent with adopted plans, and which may reasonably be expected to result in a quality of living environment which is more closely in keeping with the purposes of zoning than would otherwise likely be obtained. It is not the intent of the Town Council that the PD district become a "loophole" designed to permit otherwise illegal contract, conditional or spot zoning, or clandestine institution of an unlawful use variance. Rather the PD district is intended to permit further refinement and more detailed expression of adopted plans in situations where the owners of the property present a development plan which is found to be in the public interest and consistent with adopted plans.

1. A PD should only be approved upon the following findings:
 - a. That the proposed PD will produce a development of equal or higher quality than otherwise required by the strict application of district regulations that would otherwise govern;
 - b. That the proposed PD will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design;
 - c. That the proposed PD will produce a development functioning as a cohesive, unified project; and
 - d. That the proposed PD will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the Town.

Applicant's Compliance with Planned Development Requirements	
UDO Subsection	Compliance
UDO Subsection 9.10.03: a PD may be only be proposed for either a development site containing 3 or more acres or a proposed development which includes both commercial and residential uses.	Yes- The proposed development contains both commercial and residential uses.
UDO Subsection 9.10.04: The authorization of a PD shall preclude any requirement for obtaining a variance from the Board of Adjustment unless it is a variance to Article 29 Watershed Protection and Article 30 Flood Damage Prevention. Any such variances must be obtained before a public hearing is held on the proposed PD.	
UDO Subsection 9.10.05(A)(1): One or more pre-petition consultations with the Administrator, in which the petitioner identifies the development site, its natural features, and the nature of the proposed development.	Yes- the applicants have met with Staff multiple times since the original conception regarding submittal for this development.
UDO Subsection 9.10.05(A): Before submitting the petition, the petitioner must schedule a meeting with owners of property located within 150' of the development site. - The petitioner must provide notice at least 21 days prior to the meeting in accordance with Subsection 1.13.02 herein. - The meeting must be held at an accessible and convenient location in light of available options. - The petitioner must record the names and addresses of all attendees at the meeting. - At the meeting, the petitioner, at a minimum, shall present all the following information: - Contact information of the parties involved in the ownership, design, and development of the property; - The location of the property and general information on the current conditions of the site; - Proposed use(s) and site development; - Any preliminary plans or renderings, if available; and - Any other information deemed pertinent by the Administrator. - The petitioner shall provide the Administrator with a report which details the meeting including any concerns expressed by attendees and any commitments made by the petitioner. This report shall be included in the staff report.	Yes- please see applicant's information "Harrod LLC/Peak Campus Planned Development Property Owners' Meeting". According to the information, the notice for the meeting was sent on November 23, 2015 with a meeting being held on December 17, 2015 (22 days not counting the date notice was sent or the date of the meeting).
UDO Subsection 9.10.05(B)(1): 1. A site specific development plan addressing plan aspects identified in Appendix A, identifying all development specifics which deviate from the standards of this Ordinance.	

UDO Subsection 9.10.05(B)(2): Written analysis, tailored to specifically address the characteristics of the particular location, addressing how the planned development will effectively and to the greatest degree reasonably possible, mitigate the impacts of the proposed development on the surrounding area, including but not limited to: a. noise impacts; b. light impacts; and c. any other predictable negative effect, including but not limited to: i. negative visual effects; ii. negative traffic effects; and iii. negative health effects.	Yes- Please see applicant's information
UDO Subsection 9.10.05(B)(3): Information to demonstrate compliance with all mandatory requirements of this Ordinance, including: a. Article 5 Subdivisions (for purposes of this Section the Town Council is the approval authority for major subdivision preliminary plats); b. Article 8 Historic Preservation; b. Article 19 Grading; c. Article 20 Soil Erosion and Sediment Control; d. Article 21 Stormwater Management; e. Article 22 Utilities; f. Article 29 Watershed Protection; g. Article 30 Flood Damage Prevention;	Yes: please see applicant's plans and staff comments below in this Staff Report. Please note that per UDO 4.05.03 it is not always necessary that the application contain the type of detailed construction drawing that would be necessary to determine compliance with the detailed or technical design requirements set forth in the UDO, so long as the plans provide sufficient information, in the judgement of the Administrator, to allow the permit issuing authority to evaluate the application in the light of the substantive requirements set for the in the text of the UDO and all other duly adopted requirements of the Town.

Analysis

Addresses: 178 South Water Street, 190 and 208 Poplar Grove Road

Watauga County PINs: 2900-79-3318-000, 2900-79-0661-000, and 2900-69-8658-000

Lot size: 2.75 acres

Jurisdiction: Corporate limits

Access: Water Street and Poplar Grove Road

Vesting: 2 years

SFHA: Yes

Watershed District: No

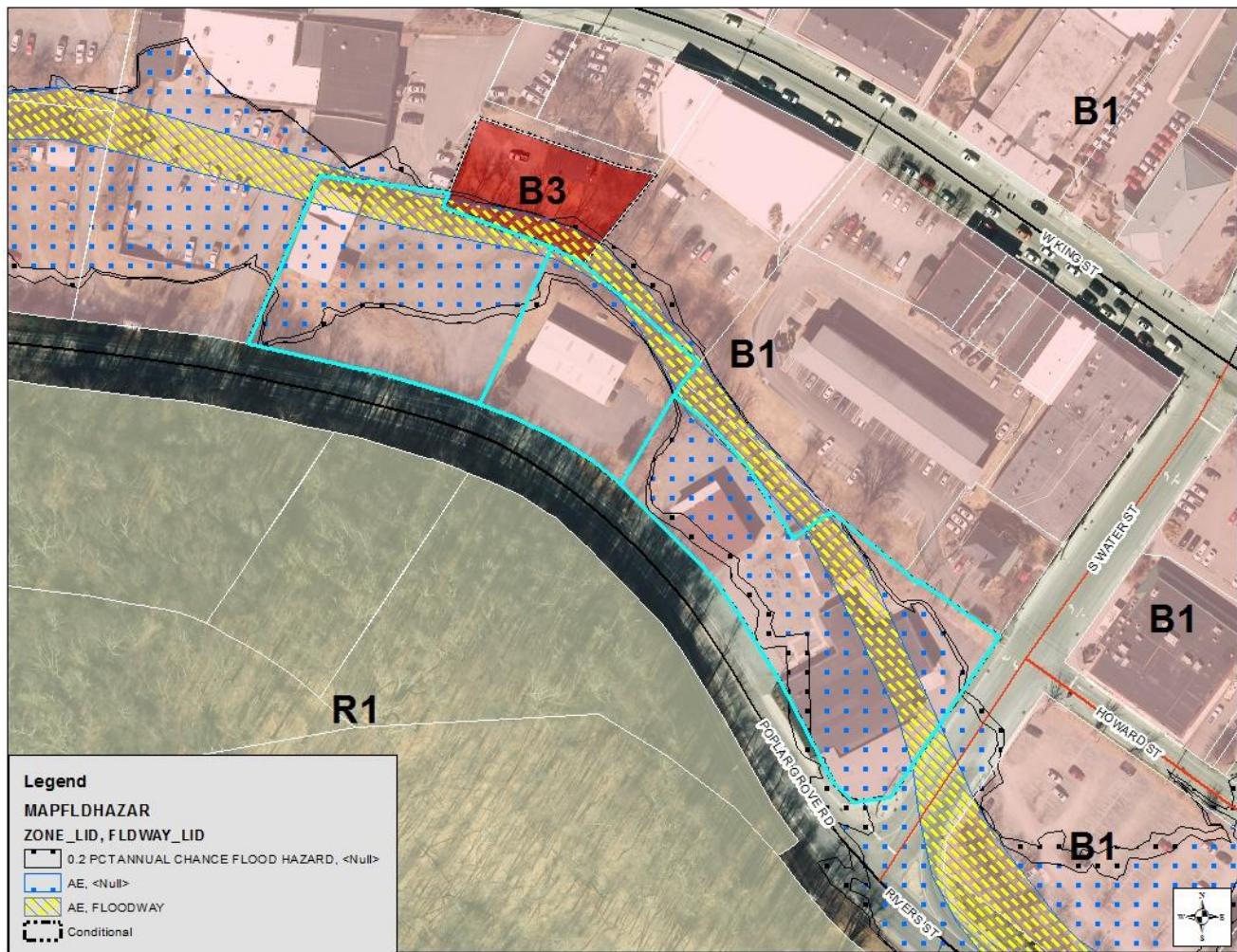
Corridor District: No

NCD: No

Viewshed: No

Current Zoning: Conditional District B1 (see information under [History](#) above)

Zoning & Use of Adjacent Properties		
	Adjacent Zoning	Adjacent Land Use
North	B1 Central Business	Restaurant, Multi-Family, Retail, Auto Garage
East	B1 Central Business	Parking Lot
South	R1 Single Family	Vacant
West	B1 Central Business	Government Facility



Proposed Zoning: Planned Development Rivers Walk

Comparison Chart		
Standard	CD B1 (Original CD Approval)	PD Rivers Walk
Building Height	Max Height of 40'	Max Height 51' 2 ¾" (See applicants information)
Building Setbacks	None Required	As shown on the

Comparison Chart		
Standard	CD B1 (Original CD Approval)	PD Rivers Walk
UDO ARTICLE 15, SUBSECTION 15.11.04(A) Multi-Family in Mixed Use: 1. Each project shall provide primary street level commercial land uses (i.e. retail, office, restaurant) of at least fifty percent (50%) of the square footage of the footprint of each building on the primary street level. For developments located on lots which abut more than one public street in the Central Business District, each additional street level floor shall provide commercial uses of at least 30% of that level's square footage. For purposes of this Subsection, the "primary street" shall be determined according to the following order: King Street, Howard Street, Depot Street, all other streets. For example, if a project is located on a lot that abuts both King Street and Howard Street, King Street shall be considered the "primary street" while for a project which abuts Howard Street and Depot Street, Howard Street shall be considered the "primary street" and so on. 2. The entire frontage of the primary street level of the building abutting the street shall provide commercial uses. Required entrances for ingress and egress to secondary uses are permitted along said frontage so long as they are no larger than necessary to meet building code and safety requirements for ingress and egress. Commercial uses on the non-primary street level(s) shall front on the non-primary street.	1. The applicant demonstrated compliance with this requirement. 2. The applicant demonstrated compliance with this requirement.	(Per the Applicants Information) 1. Per plans submitted with application, these are the building footprints for the project: Bldg. 1: 17,637 sq. ft. Bldg. 2: 11,895 sq. ft. Bldg. 3: 27,895 sq. ft. Per UDO the commercial space is required as follows: Bldg 1: 17,637x .5=8,819 Bldg 2: 11,895x.3=3,569 Bldg3: 27,895x.3=8,369 Commercial Space Required: 20,757 square feet Commercial Space Provided: 20,443 square feet* *Square footage for building amenities for the residential component are used within the commercial square footage. 2. The applicant is in compliance with this requirement.

Comparison Chart		
Standard	CD B1 (Original CD Approval)	PD Rivers Walk
3. New projects shall be at least two floors above the primary street level.	3. The applicant demonstrated compliance with this requirement.	3. The applicant is in compliance with this requirement.
4. Buildings facades shall be oriented to each public street and shall have a primary entrance door facing each abutting public sidewalk.	4. The applicant demonstrated compliance with this requirement.	4. The applicant is in compliance with this requirement.
5. A minimum of 60% of primary public street level facing building facade shall be comprised of transparent, non-reflective windows and 30% of non-primary street level facing building facades shall be comprised of transparent, non-reflective windows.	5. The applicant demonstrated compliance with this requirement.	5. The applicant is in compliance with the requirement.
6. Surface parking shall be located away from each public street to the extent possible, and if practical, to the rear of the principal building.	6. The applicant demonstrated compliance with this requirement.	6. The applicant is in compliance with this requirement.
7. Structured parking is permitted to the rear of the building or below the street level floor.	7. The applicant demonstrated compliance with this requirement.	7. The applicant is in compliance with this requirement.
8. Building facades may be no further than 0'-0" from the established street setback line, except where necessary to provide landscaped courtyards, plazas, pocket parks, other pedestrian oriented amenities, or when there would be interference with public utilities.	8. The applicant demonstrated compliance with this requirement.	8. The applicant is in compliance with this requirement.
9. The minimum building footprint shall be 50% of the total gross square feet of the lot.	9. The applicant received a variance to this requirement which allowed a reduction to the building footprint to 40%.	9. The applicant is in compliance with the variance granted with a building footprint approximately 48% of the total gross square footage of the lot.
10. Pedestrian weather protection such as awnings or canopies are encouraged along the public street but may be placed only in accordance with an encroachment agreement authorized by the Town Council.	10. The applicant indicated within the original development summary that the development would be in compliance with this requirement.	10. The applicant has not provided any information to contrary therefore applicant will be required to meet this requirement.

Comparison Chart		
Standard	CD B1 (Original CD Approval)	PD Rivers Walk
Automobile Parking:	Total of 184 on-site parking spaces, (166 within the parking structure, and 18 in the surface parking lot) *Note as a condition of approval the applicant submitted a parking study analysis which was approved by Mr. Bailey on February 23, 2016	Per the applicant's information: Total of 164 on-site parking spaces, (147 in the parking structure and 17 in the surface parking lot) The applicant has submitted a revised parking demand study, a copy of which has been provided within the applicant's information at the beginning of the packet. Please note the use of shared cars and lease language for residential tenants. Note: It is not clear how many parking spaces will be reserved for the commercial uses.
Bicycle Parking:	15 Short-term provided 37 Long-term provided	14 Short-term provided 50 Long-term provided
Signage:	Required to meet current Article 26.	Applicant has not indicated that they will deviate from the signage requirements in the B1 except for the request for a 40 square foot monument sign (current regulation limits the sign to 25 square feet).
Appearance:	Applicant required to meet Article 25.	Applicant proposing to deviate from standards. Please see architectural plans and UDO Comparison letter.

TRAFFIC IMPACT ANALYSIS: The applicant has submitted a Traffic Impact Analysis March 4, 2016 for this project. Below is an excerpt containing pedestrian, bicycle and transit accommodations and the summary and conclusion (Please note a full copy of the report can be seen at the Planning and Inspections Department or an a copy of the report can be emailed upon request):

Pedestrian and Bicycle Accommodations

As part of the development of this site, the developer plans to construct the following pedestrian and bicycle accommodations:

- Sidewalks will be constructed along the street frontage of the property: the northeastern side of Poplar Grove Road and along Water Street.
- A sidewalk will be provided adjacent to the commercial/ retail store entrances on site.
- The developer build the greenway trail from the surface lot to the parking deck as depicted on the site plan. This will provide safe and convenient access to the parking deck bike storage areas.
- In order to accommodate bicycling activities to and from the site, there will be 50 covered bicycle spaces inside of the garage and 14 bicycles spaces in the surface lot.

Transit Accommodations

AppalCart provides transit service in the Town of Boone. *AppalCart* currently runs routes (Gold, Pop 105 and Express routes) which provides service in the proximity of the site. There is an existing *AppalCart* stop on King Street and Water Street, which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations. In addition, a loading lane has been incorporated into the site plan along Poplar Grove Road for buses.

Summary and Conclusion

The proposed River Walk Development is located on the border of Appalachian State University (ASU) and the Central Business District (CBD) along the northwest quadrant of Rivers Street/ Poplar Grove Road and Water Street in Boone, North Carolina. As currently planned, the site will consist of 380 bedrooms of a mix of young professional and student apartment housing and 10,266 square feet of retail area.

The site plan shows three (3) driveways to the site: two which will serve as the access to the proposed parking deck on site, and one driveway on Water Street that will serve as the access to a 17-space parking lot. The majority of tenants at the residential building will park in the parking deck. Hence, this traffic analysis considers the parking deck access on Poplar Grove Road to be the primary access to the site.

The trip generation indicates that based on the current site plan the proposed project is projected to generate a net total of 1,271 trips per day. This is based on 380-bedrooms of a mix of young professional and student apartment housing and 10,266 square feet of retail area.

The analysis indicates that all study intersections will operate at LOS D or better in the future build conditions.

Table B summarizes the recommended improvements for the 2016 future build scenario. Improvements are shown in Figure 9 in the report.

In conclusion, this analysis has been conducted based on NCDOT and Town of Boone guidelines and has determined the potential traffic impacts of this development. With the build-out of the site, the analysis indicates there will be adequate capacity to accommodate future traffic. Note that the site accesses should to be designed according to NCDOT standards as appropriate.

Table 8.0 - Recommended Improvement Summary

Water Street at West King Street	Optimize signal timing
Water Street at Howard Street	No improvements recommended
Water Street at Rivers Street/Poplar Grove Road	No improvements recommended
Water Street at Proposed Site Access 1	No improvements recommended
Poplar Grove Road at Proposed Site Access 2	No improvements recommended
Poplar Grove Road at Proposed Site Access 3	No improvements recommended

Water Street at Existing Driveway	No improvements recommended
Pedestrian and Bicycle Accommodations	- Sidewalks will be constructed along the street frontage of the property: the northeastern side of Poplar Grove Road and along Water Street. - A sidewalk will be provided adjacent to the commercial/retail store entrances on site. - The developer build the greenway trail from the surface lot to the parking deck as depicted on the site plan. This will provide safe and convenient access to the parking deck bike storage areas. - In order to accommodate bicycling activities to and from the site, there will be 50 covered bicycle spaces inside of the garage and 14 bicycle spaces in the surface lot.
Transit Accommodations	There is an existing AppalCart stop on Water Street at West King Street which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.

Community Appearance and Landscape Standards (Brian Johnson, Urban Design Specialist)

I have reviewed the plans for the proposed Rivers Walk Planned Development received 3-28-16 and offer the following comments:

- Staff recommends the addition of landscaping within the proposed plaza area on the corner of Water Street and Poplar Grove Road. Sight distances must be provided with any additional landscaping on this corner.
- The applicant is proposing cultured stone as a material in lieu of natural stone. UDO Article 25.02.04 B requires the main building façade must be comprised of unpainted red or darker colored brick or natural stone. Staff offers the following comment that while this section requires unpainted red or darker colored brick or natural stone, the use of fiber cement or stucco may provide a variation of materials based on the massive length of the building along Poplar Grove Road. However staff recommends the use of fiber cement siding or stucco be used in a very limited percentage.
- Staff also recommends the incorporation of some of the features such as arched facades and entry ways and quoining as shown on the previous building elevations prepared by Appalachian Architecture.

Grading/Erosion Control/Stormwater (Chris Grubb, Environmental Planner)

I have reviewed the plans with a received date of February 26, 2016, for the above referenced project. The following issues will need to be addressed:

- It appears the area below the finished floor elevation of Building C is enclosed. Although the finished floor is 2' above base flood elevation, any area that is enclosed in the AE zone must comply with Section 30.03.02E3 of the UDO.
- Although the overall impervious area is being reduced, and buffer encroachments previously exist, stormwater detention should be considered to mitigate the temperature impacts of stormwater collected from roofs of new buildings that drain into Boone Creek. NCDENR should be contacted to see if additional permits or approvals are required.

Public Works:

Services Division (Todd Moody, Facilities Maintenance Superintendent)

The Public Works Department has reviewed the above referenced plans and has the following comments.

1. Please provide more detail on the type of solid waste container being proposed and show turning movements on plans to demonstrate the collection vehicle can safely service the containers. Also, storage capacity of one-eight cubic yards per bedroom should be satisfied.
2. Sidewalks along any public street shall require the dedication of a permanent easement for public use and maintenance to the Town of Boone. This applies to any sidewalk along Poplar Grove Road that is not within the right-of-way.
3. An encroachment agreement will be needed for storm water pipe #9.
4. Proposed greenway easement leaves applicant's property. Please clarify if adjoining property owners have agreed to an easement to complete the greenway in this area.
5. There is an existing street light at the corner of South Water Street and Poplar Grove Road within the street right-of-way. The applicant will be required to replace this existing infrastructure in the "courtyard" area.

Utilities Division (Mike Trivette, Utility Services Technician)

The Public Works Department Utilities Division has conducted a plan review for the proposed project at S. Water St. & Poplar Grove Road; materials reviewed by this department are dated 02-25-16 and are approved with the following conditions.

1. We will require more water and sanitary sewer information on future utility plans and project notes.

Fire Department (Michael Teague, Assistant Fire Chief)

Approved

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area. The Primary Growth Area is that portion of the urban growth area where urban level of facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

Comprehensive Plan Policies: Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Board should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.

2.1.2 Commercial Development

- B. Commercial and office development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.
- C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.
- D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.
- 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.
- G. Effective buffering and/or landscaping shall be provided where a large scale or automobile-orientated commercial or office use adjoins an existing or planned residential use.
- 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.

2.1.5 Downtown

- A. A compatible design character for the downtown area, drawing upon the locality's original High Country small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.
- B. The Town, in concert with the downtown property owners and merchants, shall encourage public and private efforts to develop and publicize adequate and appropriately designed off-street parking lots in the downtown area.
- C. A variety of mutually compatible and supportive mixed uses shall be encouraged in the downtown area.
- E. Public and private development decisions in the downtown area shall exhibit a special concern for maintaining the intensive, pedestrian oriented character of the district.
- F. The maintenance and revitalization of downtown Boone, as well as planning for its future development, will reflect the realities and qualities befitting its geographical setting and function as a center of (1) commercial and service activities, (2) educational and cultural activities, events and (3) public services.

2.2 THE INFRASTRUCTURE

2.2.1 Transportation

- I. Driveway cuts along major streets and roads shall be limited to allow these streets to serve primarily as safe traffic movement corridors or, alternatively, to maximize curb frontage for on-street parking.

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.

- E. The Town shall employ incentives to encourage a concentration of intense urban type development within the Urban Growth Area.

2.2.4 Public Safety

- D. The Town shall place renewed emphasis on enforcement of the state building code and flood prevention regulations to avert or minimize loss of life and property during natural disasters.

2.2.5 Environmental Quality

- C. Development activities in the 100 year floodplain or near lakes or streams shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural or forestry activities shall be preferred.
- E. Development which preserves the natural features of the site, including existing topography, streams and significant trees and vegetation, shall be reflected in the Town's Development Standards.

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.2 Community Character

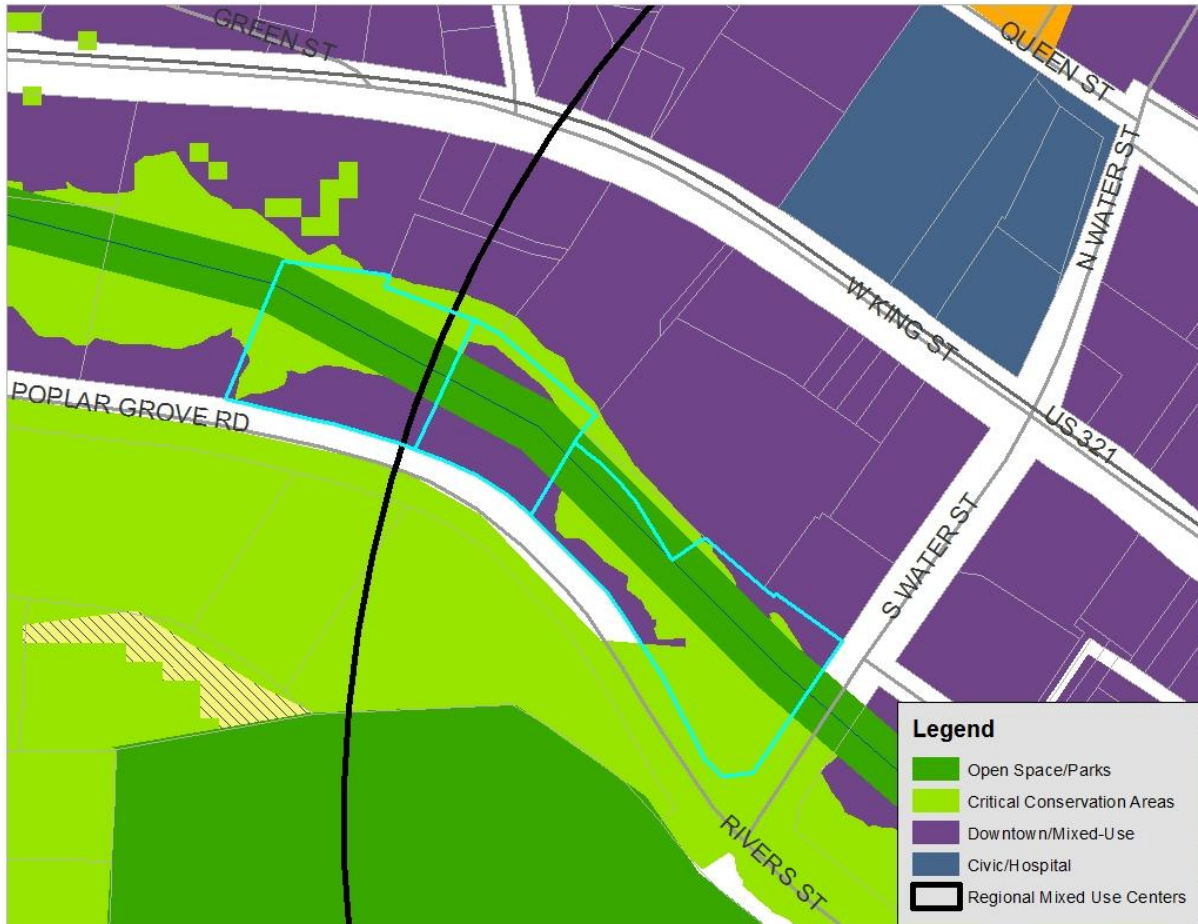
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

2.3.3 Housing and Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
- C. Proposed residential development which would expose residents to harmful effects of incompatible development or to environmental hazards shall be prohibited.
- C. Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources.
- D. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.
- G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas.

BOONE 2030 LAND USE PLAN**BOONE 2030 LAND USE PLAN**

These properties are located within multiple sectors in the Framework Map located within the Boone 2030 Land Use Plan. These sectors include the O-1, O-2 and G-4. These properties are also located in a Regional Center.



The O-1 sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks. For Boone, this sector specifically consists of:

- Existing parks & greenway
- Wetlands & streams
- 25 ft stream buffer –standard
- 30 ft stream buffer – watershed area
- 35 ft stream buffer – steep slopes
- Federal or state lands
- Conservation easements
- cemeteries

Appropriate Land Uses/Development Types:

- conservation areas
- parks & greenways
- limited agricultural/forestry uses
- water access areas
- limited civic uses such as schools

The O-2 sector represent areas that are prime candidates for moving into the O-1 sector through conservation easements or other open space acquisition/protection measures such as Transfer of Development Rights. This sector, shown in medium green on the Framework Map, consists of lands that should be off-limits to development except occasional residential/rural buildings at very low densities. These areas may be legally developable based on current federal, state, and local regulations. However, they are areas that based on environmental and urban service factors (difficulty of providing of sewer/water service and roadways, for example) should be lightly developed or undeveloped, remaining in a rural or natural state. In large part, these areas correspond with locations identified for viewshed protection in the Town's current regulations. This zone also corresponds with areas in the Secondary Water Pressure Zone, defined as elevations above 3400 feet, which are difficult to efficiently serve with adequate public water pressure. For Boone, this sector also consists of:

- 100 year floodplain
- Slopes of 30-70%
- 100 ft. riparian stream buffer
- Zone of potential rock instability
- High landslide hazard zones

The G-4 sector is comprised of areas with existing development, with a relatively dense street grid, and which are appropriate for redevelopment or additional development. These areas are shown in the purple color on the Framework Map. This includes the historic downtown and the King Street corridor as far east as Hardin Street. This area is, in large respect, appropriate for redevelopment and new infill development and well served with infrastructure (roads, utilities, etc.), and access to services and amenities. Because this area is already well provided for in terms of urban services, it is one of the most efficient and most attractive area for redevelopment of underutilized land or development of vacant parcels. It is also one of the best areas for development in terms of minimizing new environmental impacts to natural areas since the area has been built upon since Boone's founding. In-depth discussion of concepts for downtown development, redevelopment and infill neighborhood development is included in the Downtown Boone section of the Land Use Plan. In general, however, the following development types and uses are appropriate in the G-4 sector, continuing in the historic pattern of mixed-use downtown development in Boone.

- Single-family and multi-family residential
- Commercial uses (retail and office)
- Mixed-use development
- Civic uses
- Light industrial uses

Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger black circles on the map. Regional centers are envisioned for downtown Boone and the historic university core; around the hospital and the current high school site; and at the intersection of US 321 and NC 105; and around the intersection of US321 and Shadowline Drive. These centers will provide the highest concentrations of residential and employment in the Plan area.

Certification of Notification By Mail

I, Marlene Crosby, certify that individual notices meeting the requirements of Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO were placed in the mail (first class) on January 22, 2015.

Marlene Crosby

Staff Recommended Conditions

If Council approves the request, Staff recommends the following conditions:

1. Where there is a conflict between the application information and the plans (site plans bearing a received date of March 25th and architectural plans bearing a received date of March 28, 2016), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. The Town of Boone will be given the necessary easements for public sidewalks which leave existing street right-of-way.
5. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
6. (possible condition regarding the easements and construction of a greenway trail)

PLANNING BOARD REPORT

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

First motion and vote: The proposed Amendment to the Town's zoning map ☐ is OR ☐ is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐ approval ☐ denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning map ☐ is ☐ is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐ approve ☐ deny the proposed amendment to the Town's zoning map and believe ☐ approval ☐ denial is reasonable and in the public interest because:

**Case 20160136 Rivers Walk
Exhibit A**

Board of Adjustment
Thursday, November 6, 2014
Meeting Minutes

Resident Members Present: Rich Crepeau-Chairman, David Welsh, Virginia Roseman, Nik Hay, and James Milner

Staff Present: Bill Bailey-Director of Planning & Inspections, Christy Turner-Planner, and Chris Grubb-Code Enforcement Officer/Environmental Planner

Others Present: Sam Furgiuele-Town Attorney and Jeff Hedrick

...

ZV20140453 River's Walk – Variance

Glenn Weaver for Harrod/AP, LLC is requesting two (2) variances for a proposed mixed use development (Rivers Walk) to be located at 178 S. Water Street, 190 & 208 Poplar Grove Road. The requested variances are as follows:

1. Variance request to UDO Subsection 15.11.02(J) to reduce the minimum building footprint from 50% to 40%
2. Variance request to UDO Subsection 16.08.05 to allow the building to exceed the 35' height requirement when the building is within 100' of an R1 zoned property

Mr. Furgiuele felt it was inappropriate for him to participate as the Board of Adjustment's attorney given the fact that he owned property adjoining the subject property. He stated he was excusing himself from this case and the Board would be represented by Jeff Hedrick.

Jim Deal, attorney for the applicant noted that a correction needed to be made to the staff report. Mr. Bailey informed the Board that the maximum height that the applicant was requesting was actually 40' instead of 50'. Mr. Deal said that the difference the applicant made in the first request is that the old oil building is now included because of remediation from the State of NC. The second request is significantly different than the previous request in that the maximum building height is being dropped to 40'.

Alan Crees was sworn in. He began his testimony noting that Variance #1 was being decreased from a reduction of a minimum building footprint from 50% to 40%. Mr. Crees introduced exhibit

#12 (permanently on file) where the red line shows that additional property has been added to the overall plan. He noted that the shaded area is unbuildable and 0.69 acres is unbuildable land which leaves 2.274 acres of useable land. The floodway is 790 linear feet.

Alan Crees noted the following features of the property that require the variances for the property:

1. There is 26' of fall.
2. There are natural areas behind the building.
3. Sidewalks are required.
4. The property curves.
5. The property goes into the road right-of-way in some areas.

Mr. Deal asked Mr. Crees if the lot was long and narrow and Mr. Crees answered in the affirmative. Mr. Deal asked Mr. Crees if .69 acres of the proposed development is unbuildable and Mr. Crees answered yes. Board Member Roseman asked if the parking lot part was part of the building footprint and Mr. Crees told her that it wasn't. Mr. Deal asked Mr. Crees to reiterate the amount of unbuildable land and stream buffers required for the acquisition of the variances. He stated that if the land was flat and clear then it could be developed without the variances.

Mr. Crees informed the Board that the stream buffer is 25'. Mr. Deal added that if one could remove the unbuildable land area that the applicants are building on more than 50% of the lot.

1.099 acres is 40% and 1.029 acres is 50%, thus 40% left actually exceeds 50% of what is left of the lot. The footprint of the structure is 58,750 square feet. Mr. Hedrick asked Mr. Crees to translate that number into acres and Mr. Crees responded that it was 1.349 acres. Mr. Crees noted that the applicant is asking for a 40% minimum footprint and that they can build above that. He added that typically there's a maximum building footprint. He went on to say that there is a 35' elevation difference from the upper to lower end of the building.

Board Member Milner asked if other hardships were created with the strict application of the ordinance and Mr. Deal responded that there were some sight distance challenges.

Board Member Roseman asked about Exhibit #5 (permanently on file) referring to the triangle area and why it wasn't being used. Mr. Crees pointed out that it was being used for a recreation area.

Mr. Hedrick asked about the floodways and existence of streams on the property. Were they there when the property was purchased? Mr. Crees responded that they were there when the property was purchased. Mr. Hedrick asked if there were greenway easements and sidewalks present as well and Mr. Crees answered in the affirmative.

Discussion concerning Variance #2 ensued. Mr. Deal noted that the developers were not to exceed 35' in height due to the fact that the project was beside R-1 property. Mr. Crees introduced Exhibit #14 (permanently on file). Chair Crepeau asked what the difference was

between the variance they requested at the previous meeting that was turned down. Mr. Deal answered that the material difference was Res Judicata. Mr. Deal said that staff has said in the past that a 1' difference is material.

Mr. Hedrick asked about Mr. Deal's referral to a "material" difference and that the basis of the prior decision should be considered as well as the previous Board's reasons for decisions. Mr. Hedrick added that one must present a new factual decision and that the evidence must be presented first.

Board Member Roseman asked if the property is still zoned R-1 and Mr. Hedrick answered that the Board must determine if this is a *material* difference.

Mr. Deal handed out two (2) deeds as exhibit #14 (permanently on file). Mr. Crees stated that the first deed showed recreation space, green space, utility lines, flood mitigation and the existence of a wildlife sanctuary. He stated the second deed was for historical purposes. Mr. Deal said the deeds were introduced to show that the property can't be used for R-1 purposes. Alan Crees said Exhibit #13 (permanently on file) showed that none of the surrounding properties are used as single family homes. Mr. Crees stated that the buildings can't be moved more than 100' away and having to build a smaller building footprint requires that the buildings have to go up in height.

Architect for the project, Mr. Bill Dixon was sworn in. Mr. Dixon stated that the building had to go up and not out and that the extra five (5) feet allows for the screening on the roof. There is 12-15' for the first floor. Mr. Dixon stated that 5' makes a big difference because the parking in the middle adds a need for an extra 5' for a parapet wall.

Mr. Hedrick asked if the additional height included a parapet wall and Mr. Dixon answered in the affirmative. Mr. Hedrick asked if the screening will be above 40' and Mr. Dixon answered yes, but added that the parapet wall is not part of the building. Mr. Hedrick asked if the R-1 property (the park) had a change in elevation. Mr. Crees answered that it was 200' above Poplar Grove Road. Mr. Hedrick went on to ask if 40% is a lot less than they're actually building and Mr. Crees answered yes. Mr. Hedrick stated that we're actually talking about a building close to 50% anyway and brought up that Res Judicata issue brings up the issue that the minutes should be considered.

Board Member Roseman asked if the Town could sell the property or if the deed could be changed. Mr. Hedrick responded that the Town could sell the property and strangely, no reversionary clause was included. The property is zoned differently than it is being used as.

Board Member Milner asked Mr. Bill Bailey if the property can be zoned B-1 and if the owners approached staff or Town Council to rezone the property. Mr. Bailey responded that rezoning would help the Town use the property.

Mr. Deal wanted to make note that he disagreed with Mr. Hedrick and added that he had been a real estate attorney for 41 years. Mr. Crees added the following facts regarding the property:

1. There is a hardship for building height because of their proximity to adjoining R-1 property.
2. The topography and location of the property
3. The stream was there before there were restrictions.
4. No single family homes are built within 100' of the applicant's property.

Mr. Deal asked if Res Judicata is factual. He stated that Mr. Bailey would make an applicant get a modification if there was any change in distance or height. When you have changes in height on an application, it's a material change. Mr. Deal stated that the Board is not looking at what is permissible in an R-1 zoning district that is within 100' of the project and the height allowed in the B-1 zoning district.

Mr. Hedrick stated that Res Judicata are words of material change. He asked if there are new reasons that a variance should be granted. Analysis has to be whether evidence gives a new reason. The Board of Adjustment found last time that R-1 is really R-1, but the variance was still not granted. There wasn't an adequate reason to grant the variances. New factual information for the variances to be granted has to be present for the variances to be granted. The Town is not here to argue against the project, but it is a matter of following the law.

Mr. Deal stated that the request does not go above the height permissible in a B-1 zoning district. He added that the building looks much different and that the Board had not been presented with the deeds at the last hearing.

Chair Crepeau stated that he was torn on the issue of the Res Judicata and Board Member Roseman stated that she was in favor of variances because of variance conditions. She believes that the variances being asked for tonight are significantly different.

Board Member Milner believes that these variances are different because of testimony of Mr. Bailey and Mr. Deal, even though he wasn't here last time and believes that the Planning and Inspections Administration would not bring this to the Board of Adjustment if it wasn't different. Chair Crepeau said he understood that Mr. Bailey wouldn't do that. Board Member Hay said that by increasing the length, then he thinks that the proposed project is different. Board Member Milner added that the scope of the project is different and Board Member Roseman agreed. Chair Crepeau added that the Board can now look at deed information instead of just voting on testimony.

The Board agreed, by majority, to the following findings of fact for Res Judicata

- (Finding of Fact 1): There is additional land area.
Passed unanimously.
- (Finding of Fact 2): There is additional structural coverage.

Passed unanimously

(Finding of Fact 3): The height request has been changed

Passed unanimously

(Finding of Fact 4): Restrictions of deed prevent property from being used as R-1.

Passed unanimously

(Finding of Fact 5): Language of deed have six possible uses none of which are R-1.

Passes 3-2 (Hay, Milner)

Chair Crepeau made a motion based on Findings of Fact 1-4, that there is a change in the application that is significant enough to be fresh. The motion was seconded by Board Member Roseman. The vote passed unanimously with Board Member Milner abstaining.

The Board agreed, by majority, to the following findings of fact for variance request #1 to reduce the minimum building footprint from 50% to 40%:

(Finding of Fact 1): .69 acres is unbuildable which represents 25% of property.

The motion passed unanimously.

(Finding of Fact 2): When removing acreage that can't be built upon, the development will be above 50% of minimum building footprint.

The motion passed unanimously

(Finding of Fact 3): Shape characteristics of stream on right and the road on the left create significant challenges.

Passed unanimously

(Finding of Fact 4): The property owner had no control of bisecting stream on elongated property.

Passed Unanimously

((Finding of Fact 5): Language of deed have six possible uses none of which are R-1.

Motion

Vote 1: Board Member Hay made a motion that an unnecessary hardship would result from the strict application of the ordinance because of the following findings of fact:

(Finding of Fact 1): .69 acres is unbuildable which represents 25% of property.

(Finding of Fact 2): When removing acreage that can't be built upon, the development will be above 50% of minimum building footprint.

(Finding of Fact 3): Shape characteristics of stream on right and the road on the left create significant challenges.

(Finding of Fact 4): The property owner had no control of bisecting stream on elongated property.

(Finding of Fact 5): Language of deed have six possible uses none of which are R-1.

The motion was seconded by Board Member Milner

VOTE: Aye – All

Nay – None

The motion passed unanimously.

Motion

Vote 2: Board Member Milner made a motion that the hardship results from conditions that are peculiar to the property, such as location, size, or topography because:

(Finding of Fact 1): .69 acres is unbuildable which represents 25% of property.

(Finding of Fact 3): Shape characteristics of stream on right and the road on the left create significant challenges.

(Finding of Fact 4): The property owner had no control of bisecting stream on elongated property.

The motion was seconded by Board Member Hay.

VOTE: Aye – All

Nay – None

The motion passed unanimously.

Motion

Vote 3: Chair Crepeau made a motion that the hardship did not result from actions taken by the applicant or the property owner because:

(Finding of Fact 3): Shape characteristics of stream on right and the road on the left create significant challenges.

(Finding of Fact 4): The property owner had no control of bisecting stream on elongated property.

The motion was seconded by Board Member Milner

VOTE: Aye – All

Nay – None

The motion passed unanimously.

Motion

Vote 4: Chair Crepeau made a motion that the requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved because:

(Finding of Fact 2): When removing acreage that can't be built upon, the development will be above 50% of minimum building footprint.

The motion was seconded by Board Member Milner.

VOTE: Aye – All

Nay – None

The motion passed unanimously.

Motion

Vote 5: Chair Crepeau made a motion to grant the variance to allow a reduction in the building footprint from 50% to 40%.

The motion was seconded by Board Member Milner.

VOTE: Aye – All

Nay – None

The motion passed unanimously and the variance was granted.

The Board agreed, by majority, to the following findings of fact for variance request #2 to allow the building to exceed the 35' height requirement when the building is within 100' of an R1 zoned property:

(Finding of Fact 6) The height that the applicants are requesting put the project in compliance with the unencumbered B-1 district.
Passed Unanimously

(Finding of Fact 7)	The closest non-deed restricted property was 261' away from the proposed project. Passed Unanimously
(Finding of Fact 8) 1	Closest structure not owned by Town is over 100' away from the B-property. Passed Unanimously
(Finding of Fact 9)	The maximum height of building at any point will be 40' or less. Passed Unanimously
(Finding of Fact 10) owns in (Single	Restrictions to the use of the property that the Town of Boone the deeds prevent any expected use of the property as R-1 Family Residential. Passed Unanimously
(Finding of Fact 11) instead	The stream buffer requirement requires that the build go up of out. Vote Passed 3-2 (Crepeau and Roseman)

Motion

Vote 1: Chair Crepeau made a motion that an unnecessary hardship would result from the strict application of the ordinance because:

(Finding of Fact 1): .69 acres is unbuildable which represents 25% of property

(Finding of Fact 9) The maximum height of building at any point will be 40' or less.

The motion was seconded by Board Member Milner.

VOTE: Aye – All

Nay – None

The motion passed unanimously.

Motion

Vote 2: Board Member Welsh made a motion that the hardship results from conditions that are peculiar to the property, such as location, size, or topography because:

(Finding of Fact 1): .69 acres is unbuildable which represents 25% of property.

(Finding of Fact 4): The property owner had no control of bisecting stream on elongated property.

(Finding of Fact 9) The maximum height of building at any point will be 40' or less.

The motion was seconded by Board Member Milner.

VOTE: Aye – All

Nay – None

The motion passed unanimously.

Motion

Vote 3: Board Member Hay made a motion that the hardship did not result from actions taken by the applicant or the property owner because

(Finding of Fact 9) The maximum height of building at any point will be 40' or less.

The motion was seconded by Board Member Milner.

VOTE: Aye – All

Nay – None

The motion passed unanimously.

Motion

Vote 4: Chair Crepeau made a motion that the requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved due to the following finding of fact:

(Finding of Fact 6) The height that the applicants are requesting put the project in compliance with the unencumbered B-1 district.

(Finding of Fact 7) The closest non-deed restricted property was 261' away from the proposed project.

(Finding of Fact 9) The maximum height of building at any point will be 40' or less.

The motion was seconded by Board Member Milner.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Motion

Vote 5: Chair Crepeau made a motion to grant the variance to allow the building to exceed the 35' height requirement when the building is within 100' of an R1 zoned property.

The motion was seconded by Board Member Milner.

VOTE: Aye – All
Nay – None

The motion passed unanimously and the variance was granted.

**Case 20160136 Rivers Walk
Exhibit B**

**TOWN OF BOONE
QUARTERLY PUBLIC HEARING
FEBRUARY 2, 2015
5:30 P.M.**

TOWN COUNCIL MEMBERS PRESENT:

Mayor Andy Ball, Mayor-Pro Tem Rennie Brantz, Lynne Mason, Jennifer Pena and Quint David

PLANNING COMMISSION MEMBERS PRESENT:

Chairperson Eric Woolridge, and Vice-Chairperson Greg Simmons, Max Wlodarczak, Susan McCracken, Tom Jamison, Jeff Templeton, Cameron Lippard, Frank Bolick, Jon Tate, Matthew Long and Connor Boyle.

STAFF PRESENT: Bill Bailey-Director of Planning and Inspections, Jane Shook-Development Coordinator and Marlene Crosby-Board Secretary

OTHERS PRESENT: John Ward-Town Manager and Allison Meade-Town Attorney

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CASE 2040748 RIVER'S WALK CONDITIONAL DISTRICT MAP AMENDMENT: G & B Oil Inc. and Southern States Co-Operative Inc. have filed a Conditional District Map Amendment for property at 178 South Water Street and 190 and 208 Poplar Grove Road. The request is to rezone from B1 Central Business to Conditional District B1 Central Business with a site specific development plan for a mixed-use project (Rivers Walk) containing approximately 16,647 square feet of commercial area, 145 apartments with 380 bedrooms. Use 1.116 (Multi-Family Dwelling in Mixed Use >100 bedrooms) is permitted in the B1 Central Business Zoning District with L^{T125}. This mixed use project triggers the requirements for Transitional Zones pursuant to UDO Article 6, Subsection 6.02.02.

Mr. Bailey noted that Planning Commission Member Boyle was recusing himself from this case because he is involved as a consultant on the property.

Mr. Bailey presented this case as outlined in the meeting packet.

Mr. Jim Deal came to the podium to present this case for the applicant. He talked about the transitional zone and dealing with a conditional district requirement with the special protection for residents and protected zones and districts and there are no people to protect in the River's property for the transitional district. He said if this property had not needed rezoning, it would have still had to come before the Council for the water hearing.

Mr. Deal gave the history of the proposed development in regards to the other boards and commissions of the Town. He talked about the project re-design and the change to the building height. He talked about how this proposed development fits well in the Town. He talked about the keeping the creek open and the making a greenway along the creek. He talked about the parcels being in the primary growth area. The housing will be primarily for students and will encourage walk ability.

Mr. Deal handed out the restrictions of the property (permanently attached) and read the restrictions.

Mr. Deal gave the breakdown of the units in the proposed project. He talked about the reducing of the footprint leaving more property open for greenways, etc. He talked about the change in building height. He said that they did have a travel analysis done and they have a witness available at this meeting to answer questions on the analysis. He said between the second and third Board of Adjustment hearing, Mr. Glenn Weaver and his team have made radical changes to the development plans to make it look more like Downtown Boone. They changed the materials to make it more of a traditional type building.

Mr. Deal asked Mr. Alan Crees, P.E. from Municipal Engineering to talk about the specific development of the project. Mr. Crees referred to the site map in the meeting packet and talked about the existing site conditions. He talked about the buildings that are located in the floodway; he said they would be removed. He noted that Mr. Connor Boyle was present to answer questions on the flood study that he conducted for the proposed development. He explained what triggered the necessity for a flood study. He talked about the stream line and the location of the stream and vegetated buffer. He pointed out the area of the graveled parking lot. He talked about the amount of elevation and the challenges with the elevation. He said the site has been under utilized for being in the primary growth area. He gave the number of beds and bedrooms proposed in the development. He talked about the amount of commercial space square footage and the additional parking for the commercial uses. He said there would be on-site management staff and security personnel due to the size of the proposed development. He talked about the grade difference and what they did because of it with regard to base flood elevation. He talked about the number of parking spaces and entrances into the proposed development. He talked about the amount of stream frontage and sidewalks and commercial entrances. He talked about the location of the greenway, bus routes and bus stops. He said they would like to preserve the 323 feet of buffer and the existing culvert. He said that the overhead power lines will be put underground. He said all the UDO requirements will be met for the proposed development. He talked about the Transitional zone and the slope adjacent to the road being a 1:1 slope. He talked about the lighting and noise impacts. He talked about health aspect and the benefits to the community that this proposed development would add.

Mr. Connor Boyle came to the podium and said they are improving the flood situation by decreasing flood levels throughout the site and he explained the reasons why.

Council Member Pena asked about the paved area. Mr. Boyle said that they are leaving the existing two-piece culvert and explained his understanding of how the water will flow in a 100 year flood.

Mr. Bill Dixon from Appalachian Architecture came to the podium to talk about the building height and materials of the building.

Mr. Deal asked Mr. Frank Amenya from Davenport to come to the podium to answer any questions on the travel impacts on the intersections and driveways that he studied for the proposed development. Mr. Amenya went over the recommendations that he made for the increase in flow of traffic at this proposed development.

Mr. Deal said in terms of traffic at the intersection of River Street and Poplar Grove Road, he talked about his interest in working with the Town and NCDOT regarding the possibilities of a round-about at this location.

Mr. Bailey pointed out on page three of the staff report the words written in red.

Council Member Mason asked Mr. Deal to address the parking needs for that many residential tenants. Mr. Deal said it might be a two or three fold process and gave the areas of the proposed parking for the development. He said they are going to encourage biking and walking as much as they can.

Mayor Pro-Tem Brantz asked for a brief history of Harrod/AP, LLC, and the proposed developer.

Mr. Glenn Weaver, P.E. came to the podium. He gave a brief history of his company.

Mr. Weaver addressed the proposed parking issue. He talked about all the possibilities for parking for everyone who wants to have a car. He talked about the three sidewalks that will be available for walk ability purposes.

Mayor Pro-Tem Brantz asked how do you manage properties like this and is it for the short-term or long term. Mr. Weaver explained how he manages properties. Mr. Weaver explained that he has experience in student housing, multi-family housing and commercial management.

Council Member Mason asked if the parking lot will be for commercial retail. Mr. Weaver explained the locations for commercial retail parking.

Planning Commission Member Jamison asked about the waste-truck and fire department access. Mr. Weaver said they will have a compactor on site and the access would be off Water Street.

Planning Commission Member McCracken asked about the retail space being proposed and the disbursement of retail under other buildings with consideration of the entry from Poplar Grove Road. Mr. Weaver answered her questions.

Mr. Weaver talked about a parking lane and working on it with NCDOT.

Chairperson Woolridge asked Mr. Weaver what it means, when they say they are willing to participate in a bridge for the greenway. Mr. Weaver said that they have offered to dedicate the right-of-way. Chairperson Woolridge pointed out that information was not on the site plan. Mr. Weaver said they did not put it on the site plan because that would be implying that this is the exact location. Mr. Weaver said it was his understanding that a greenway plan all ready exists. Mr. Weaver said he would like to break ground in April 2015, when he knows that this project is going to happen, he will work with the appropriate people on a site plan to include more detail on it.

Chairperson Woolridge asked Mr. Weaver specifically about the width of the sidewalk. Mr. Deal said that they could not commit to ten feet until you know exactly what you are going to be able to build.

Mr. Ward helped clarify that from a landscaping standpoint, we need to see what the developer wants to propose for the greenway on the site plan so it can be reviewed to make sure all the requirements are being met. Mr. Deal said that they could not commit to things that are outside of their control. Mr. Deal said they would grant an easement for a greenway but you have to figure out if they can build it or not.

Planning Commission Chairperson Woolridge asked Mr. Bill Dixon, Architect to walk him through the drawing that he presented at this meeting to help him understand what is being proposed for landscaping and sidewalks. Mr. Dixon said that he is at this meeting to get the Commissions feedback on how to develop the plaza area. Mr. Crees said that there will be grass on the corner of the plaza because NCDOT wants to preserve the site triangle. Mr. Crees answered other questions on the placement of sidewalks and steps with regard to the elevation. Council Member Mason said that the adopted streetscape plan would address some of these questions. Planning Commission Chairperson Woolridge asked if they would be able to put in brick pavers for sidewalks and possibility make this a condition. Mr. Weaver said it would help, if they would show him where they wanted the greenway. Planning Commission Member Bolick talked about what happens to brick pavers over time after they are installed. Mr. Weaver said that once he gets the flood study, it will help them made decisions on these things.

Planning Commission Member McCracken asked about the future round-about. Mr. Deal said that this was a NCDOT decision and they would work with the Town on it.

Mr. Deal talked about this area needing to be attractive and the developer wants to it to be. He said at this time, they are not able to commit to anything without more information from the Town on what is allowed and what is not allowed.

Mayor Pro-Tem Brantz asked if a hazardous inspection has been done of the property. Mr. Deal asked Mr. Weaver to answer this question. Mr. Weaver gave the results of Phase I of the property in regards to inspections.

Planning Commission Member Lippard talked about a possible traffic concern regarding a bike and pedestrian issue with a round-about at 8 am in the mornings with students trying to get to class. Mr. Deal gave his perspective on this topic.

Council Member Mason talked about the West Downtown Boone Plan and the thought behind it is to make Water Street a more pedestrian friendly area. She said that Council will be looking again at the Howards Street Project which is an alternative way to move pedestrians and bicyclists.

Mr. Frank Amenya with Davenport talked about high-pedestrian crosswalks which will alert motorists of the high pedestrian activity.

Planning Commission Vice-Chairperson Simmons read the crash data from the Town of Boone adopted bike plan. He said that River Street is only second after Blowing Rock Road for crashes. He also noted that there is not a bike lane on Water Street. He pointed out where the bike lanes start and stop on River Street. He pointed out that Howard Street is more pedestrian and bicycle friendly.

There were no other speakers on this case.

Mayor Ball closed the public hearing on this case.

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**TOWN OF BOONE
PLANNING COMMISSION
FEBRUARY 9, 2015
6 P.M.**

MEMBERS PRESENT: Chairperson Eric Woolridge, Vice-Chairperson Greg Simmons, Connor Boyle, Jon Tate, Matthew Long, Tom Jamison, Cameron Lippard, Max Wlodarczak, Tom Purpur and Jeff Templeton

STAFF PRESENT: Bill Bailey-Planning Director, Jane Shook-Development Coordinator, Marlene Crosby-Board Secretary

Case 2040748 River's Walk Conditional District Map Amendment: G & B Oil Inc. and Southern States Co-Operative Inc. have filed a Conditional District Map Amendment for property at 178 South Water Street and 190 and 208 Poplar Grove Road. The request is to rezone from B1 Central Business to Conditional District B1 Central Business with a site specific development plan for a mixed-use project (Rivers Walk) containing approximately 16,647 square feet of commercial area, 145 apartments with 380 bedrooms. Use 1.116 (Multi-Family Dwelling in Mixed Use >100

bedrooms) is permitted in the B1 Central Business Zoning District with L^{T125}. This mixed use project triggers the requirements for Transitional Zones pursuant to UDO Article 6, Subsection 6.02.02.

Commission Member Boyle noted that he was recusing himself from the case because he was involved as a consultant for the development. Member Boyle stepped down and joined the audience.

Chair Woolridge indicated that the applicant had additional testimony to provide and that the Commission would need a motion and vote to reopen the public hearing for this case.

Commission Member Lippard made a motion, seconded by Commission Member Wlodarczyk to reopen the public hearing.

VOTE: Aye- All

Nay- None

The motion passed.

Mr. Jim Deal, Attorney-at-Law from Deal, Moseley and Smith law firm presented additional testimony on the possible location on the Greenway trail through the property. He asked the Commission to be flexible with the location of the greenway because it would be difficult to plan the location to the exact foot. Mr. Deal asked Alan Crees P.E., to present information regarding the case.

Mr. Alan Crees, P.E. from Municipal Engineering distributed a handout (permanently attached) indicating options for an 8' greenway on the Rivers Walk property. Mr. Crees indicated that a flood study had not been conducted for the options. He also indicated that a portion of the trail would be located in the trout buffer and would require additional permitting from the State. Mr. Crees described the options on the handout.

Chairperson Woolridge asked Mr. Crees about the two different options that were discussed previously. Mr. Deal indicated that the applicant would be willing to grant an easement and then there would be 2 different options for construction. First, the Town would be responsible for construction and second the developer would build the trail with the development and be reimbursed by the Town for the work.

Chairperson Woolridge noted that the applicant lost two parking spaces with the options. Commission Member Templeton noted that only one parking space was lost. Mr. Deal agreed that it was one parking space which was lost.

Chairperson Woolridge noted that the applicant was removing the sidewalk which was next to the building and the access would be replaced with the new trail. Commission Member Lippard asked Mr. Crees if there would be access for the development on the back of the building to access the trail. Mr. Crees indicated that there would be access for the residents off the back. Vice-Chairperson Simmons asked where the bicycle parking would be located. Mr. Crees indicated that there was some in the parking structure and that they could place some of the parking behind the building.

Commission Member Purpur asked how the trail connected at the end of the property. Mr. Deal indicated that the applicant would have to work with the County to make the connection. Mr. Purpur noted that it would be a safety improvement for the pedestrians who use the route during football games.

Chairperson Woolridge asked Staff their opinion on the greenway plan. Mr. Bailey indicated that the plan submitted was sufficient and that the revised plan submitted at this meeting was an

addendum to the site specific site plan. Mr. Bailey noted that a condition is needed stating that the applicant would need to provide an easement to build the greenway and to broaden the condition out to achieve maximum flexibility for the applicant and the Town. Mr. Bailey said if the Commission approves the site plan, they would limit flexibility.

Mr. Bill Dixon, Architect from Appalachian Architecture approached the Commission regarding changes to the front of the building and the courtyard area. He indicated that he had met with Eric Woolridge, Planning Commission Chairperson and Alan Crees, Civil Engineer about the modification. He provided a handout (permanently attached) to the Commission showing the changes. He indicated there would be a brick paver courtyard which would sit behind the public sidewalk, which will slope up to the stairs which lead to the building. He said that where they cannot have something built due to the right-of-ways, they have introduced benches to the plan. Commission Member Long noted that it seemed to be a nice improvement.

Vice-Chairperson Simmons asked about the design history of the building and asked if a small area plan would have been helpful. Mr. Deal indicated that it would be helpful if it provided specific detail and would take out the uncertainty in the development process.

Mr. Deal talked about the future possibility of a round-about and that it could impact the proposed project, if approved.

Mr. Bailey indicated that Staff still had a concern regarding parking and asked the Commission to consider a condition that would ensure a parking study and would have sufficient parking onsite or with satellite parking. Chairperson Woolridge asked Mr. Bailey to clarify what was adequate parking. Mr. Bailey indicated that it was development driven and that the applicant would be responsible for demonstrating that they have adequate parking. Mr. Bailey said that if you deviate more than 10 percent on the plan for parking, the applicant needs to be able to explain the reason for it.

Mr. Deal indicated that he had presented information during the hearing process that the parking lot across the street has parking spaces for rent and the University has parking for rent on State Farm Road which is accessible by AppalCart. Mr. Deal noted that he felt that the applicant had demonstrated that there is sufficient parking for the proposed project. Mr. Deal noted that it was early for the developer to make permanent arrangements for satellite parking and noted that he felt the development was complying with the maximum parking lot requirements in the Unified Development Ordinance. Mr. Deal said the lease language would determine who gets a parking space at the proposed development.

Chairperson Woolridge asked Mr. Deal how the applicant was enforcing the commercial parking and how the applicant determined that 60 parking spaces were sufficient. Mr. Deal indicated that the applicant would have to answer this. Mr. Weaver indicated that his organization had built over two-million square feet of commercial retail space in North Carolina. Mr. Weaver gave based on his experience, the breakdown for the standard for parking spaces for daytime and nighttime commercial retail and residential per square foot and per bed. He talked about the tenants being charged for parking spaces in the university parking structure and said it would be cheaper, if they rented a space. He said he felt like the tenants would be willing to rent from next door. He indicated that he had a letter (permanently attached) from the adjacent parking lot manager that was provided to the Commission from Holton Mountain Rentals that offered parking space availability information on the large parking lot located at the corner of S. Water

Street, Rivers Street and Howard Street. He said based on his evaluation of parking at this proposed development, they have more than enough proposed parking.

Discussion ensued regarding the commercial parking at this proposed development. Mr. Weaver indicated that it could be metered with possible validation. He said a staff member would be responsible for validating for commercial retail customers.

Mr. Deal indicated that the applicant had no other information to present.

Mr. Bailey read the parking requirements from the Unified Development Ordinance regarding Parking Spaces Required, Sections 24.01.01, 24.01.03 and 24.01.05 (b). Mr. Bailey reiterated that the applicant needs to demonstrate adequate parking through a qualified engineer parking study or some other method. Mr. Deal indicated that the chart calls for maximum parking and referenced the Boone 2030 plan which shows large developments with no parking. Mr. Deal indicated that he feels that they have adequate parking for their development. Chairperson Woolridge asked Mr. Deal if he was opposed to do a parking study. Mr. Deal indicated that he was not opposed to provide a parking study but was concerned about the expenditure of funds without knowing if the project would be approved. Mr. Bailey indicated that the condition would be placed on the conditional district order which would have to be met before the issuance of the zoning permit.

Discussion ensued regarding parking. Mr. Bailey indicated that Staff is asking for a condition that the applicant demonstrate that they have sufficient parking for the development.

Chairperson Woolridge asked Mr. Deal if he would agree to a condition about adequate parking. Mr. Deal indicated that he thought they had presented various ways that showed adequate parking for this proposed development. Mr. Weaver noted that the parking on-site and the adjacent parking lot and with the parking spaces available through the University parking structure should be sufficient parking for every resident who needs a parking space. Mr. Deal indicated that they would be fine with meeting the requirements of the UDO.

Discussion ensued regarding parking. Mr. Bailey explained further the conditions on the project and read UDO Section 24.05.01 C, 1 and 2 regarding the deviation from the code. Mr. Deal talked about 20 percent reductions and how these things are usually presented, when they know they can actually build the development.

Chairperson Woolridge talked about Staff condition three and asked Mr. Bailey if this topic falls under it. Mr. Bailey said if an item is a topic of discussion then Staff recommends that item become a condition. Mr. Bailey suggested that the Commission make it a condition that the applicant will demonstrate adequate parking noting the broader the condition the more flexibility the developer has for the proposed development.

Mr. Weaver further explained how a university sets up their parking for their students who live on campus. Mr. Deal noted that the applicant was trying to attract people that do not have cars or do not want a car where they live.

Commission Member Lippard asked if the applicant agreed to the conditions regarding the greenway and the front courtyard. Mr. Deal indicated that he is in agreement with conditions being placed on the parking, eight-foot wide greenway along with a couple of options depending on what the adjoining property owners are willing to agree to.

Motion and Vote:

Commission Member Lippard made a motion to close this public hearing on this case at 7 p.m., seconded by Commission Member Long.

VOTE: Aye- All

Nay- None

The motion passed.

Commission Member Templeton noted that the requirements for a greenway and commercial areas already have a large impact on how the development is planned and now we are penalizing the development over parking.

Commission Member Purpur noted that he thought it was a mistake to require commercial on the entire bottom floor and that he didn't care about the parking because he didn't feel like it was significant.

Commission Member Jamison noted that he felt that there was a need for a parking deck which would be owned by the Town.

Commission Member Wlodarczak noted that this development was what was needed in the downtown area.

Chairperson Woolridge agreed with Commission Member Jamison that the Downtown parking deck is a long time overdue and this proposed development has been well planned. He said most of the Commission's discussion on this proposed plan has been for clarification. He said that he agreed with Commission Member Templeton on his comments.

First Motion and Vote: Commission Member Long made a motion, seconded by Commission Member Purpur, that the proposed amendment to the Town's zoning map is consistent with the Town's Comprehensive Plan and other applicable adopted plans of the Town which relate to this application because this project is a mixed-use redevelopment of brownfields sites within the heart of downtown Boone; that the projects architectural elements design are harmonious to the overall architecture within downtown Boone; that this projects stream buffer and Kraut Creek restoration efforts are in line with the outline in Section 4 page 39 of the Boone 2030 plan; that this project introduces a range of housing options and choices as outlined in Section 9 of the Boone 2030 plan; the project is an appropriate infill mixed-use project in downtown Boone as outlined in Section 7 of the Boone 2030 plan; and that the projects bikeability and walkability and the developers willingness to grant an easement for a greenway space or trail and for all of these reason makes this a project to make a recommendation for.

VOTE: Aye- All

Nay- None

The motion passed.

Chairperson Woolridge asked the applicant if he agreed to the conditions listed in the Staff Report and any additional conditions regarding the courtyard, greenway, Mr. Deal indicated that they were acceptable.

Second Motion and Vote: Planning Commission Member Lippard made a motion, seconded by Planning Commission Member Long that the Planning Commission recommends approval because the mixed use site will improve the B1 offerings in downtown Boone with the following conditions [agreed upon by the applicant]:

1. Where there is a conflict between the application information and the plans (bearing a received date of January 26, 2014), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a

condition of the permit, and a basis for a stop work order and/or permit revocation if violated.

3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. The Town of Boone will be given the necessary easements for public sidewalks which leave existing street right-of-way.
5. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
6. Applicant demonstrate adequate parking for the development.
7. Applicant build the courtyard as demonstrated on the drawing submitted by Bill Dixon on February 9, 2015 at the Planning Commission meeting.
8. The applicant provide an easement for a 8' minimum greenway along Boone Creek through the development property.

VOTE: Aye- All

Nay- None

The motion passed.

Commission Member Boyle rejoined the meeting at 7:14 p.m.

MINUTES – REGULAR MEETING BOONE TOWN COUNCIL FEBRUARY 23, 2015

A regular meeting of the Boone Town Council was called to order at 5:30 p.m., Monday, Feb. 23, 2015, in the Council Chambers, 1500 Blowing Rock Road. Mayor Andy Ball presided. Council members present were Mayor Pro-Tem Rennie Brantz, Lynne Mason, Fred Hay, Jennifer Peña and Quint David. Town Attorney Allison Meade was also present. Staff members present were Town Manager John Ward, Town Clerk Christine Pope, Assistant to the Manager Jim Byrne, Human Resources Director Peri Moretz, Police Chief Dana Crawford, Fire Chief Jimmy Isaacs, Finance Director Amy Davis, Planning Director Bill Bailey, Public Works Director Rick Miller and Cultural Resources Director Pilar Fotta.

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Case 20140748 River's Walk – G & B Oil, Inc. and Southern States Co-Operative Inc. have filed a Conditional District Map Amendment for property at 178 S. Water Street, and 190 and 208 Poplar Grove Road. The request is to rezone from B1 Central Business to Conditional District B1 Central Business with a site-specific development plan for a mixed-use project (River's Walk) containing approximately 16,647 square feet of commercial area and 145 apartments with 380 bedrooms.

Planning Director Bill Bailey advised Council that two modifications to this case had been made. First, a vegetative area will instead be brick, and the developers stipulated that they would participate in the Greenway Trail expansion and specified an eight-foot minimum trail. Brief discussion ensued regarding the Greenway Trail expansion on the property and flexibility in location. Concern was voiced by Council members that the drafted Planning Commission minutes

had not been provided to them. Brief discussion ensued. Mr. Bailey provided Council will two additional exhibits provided by the developers (**Exhibits permanently on file in February 2015 meeting file**), and Council advised they felt this information was adequate to make a decision on the case.

Vote #1

Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved that the proposed amendment to the Town's zoning map is consistent with the Town's Comprehensive Plan and other applicable adopted plans of the Town which relate to this application because this project is a mixed-use redevelopment of brownfields sites within the heart of downtown Boone; that the projects' architectural elements design are harmonious to the overall architecture within downtown Boone; that this projects' stream buffer and Kraut Creek restoration efforts are in line with the outline in Section 4 page 39 of the Boone 2030 plan; that this project introduces a range of housing options and choices as outlined in Section 9 of the Boone 2030 plan; the project is an appropriate infill mixed-use project in downtown Boone as outlined in Section 7 of the Boone 2030 plan; and that the projects bikeability and walkability and the developers' willingness to grant an easement for a greenway space or trail and for all of these reasons makes this a project to move forward with.

VOTE: Aye – All

Nay – None

Vote #2

Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to approve the amendment to the Town's zoning map with the eight conditions as agreed upon by the applicant, and believe approval is reasonable and in the public's interest because the mixed-use site will improve the B1 offerings in downtown Boone:

Conditions agreed upon:

1. Where there is a conflict between the application information and the plans (bearing a received date of January 26, 2014), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. The Town of Boone will be given the necessary easements for public sidewalks which leave existing street right-of-way.
5. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
6. Applicant demonstrate adequate parking for the development.
7. Applicant build the courtyard as demonstrated on the drawing submitted by Bill Dixon on February 9, 2015, at the Planning Commission meeting.

8. The applicant provide an easement for an eight-foot minimum greenway along Boone Creek through the development property.

VOTE: Aye – All

Nay – None

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