

**BOONE TOWN COUNCIL
COMPREHENSIVE PLAN DISCUSSION
TUESDAY, MARCH 7, 2023, 9:00 AM
1500 BLOWING ROCK ROAD**

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

PLANNING & INSPECTIONS STAFF PRESENT: Jane Shook-Director of Planning and Inspections, Stacey Miller-Deputy Director of Planning & Inspections and Chief Building Inspector, Jessica Mitchell-Long Range/Special Projects Planner, and Brenda Henson-Administrative Support

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: Amy Davis-Town Manager, Rick Miller-Public Works Director, and Allison Meade-Town Attorney

OTHERS PRESENT FOR 9:00 AM SESSION: Randy Dixon-Skyline Terrace and Stafford Kelly-Burkley Communities

OTHERS PRESENT FOR 12:00 PM SESSION: Michael Trew & Alan Crees- Municipal Engineering, Bill Dixon-Appalachian Architecture, Patrick Beville-IONCON, Brean Wilkes & Hunter Coffey-Coffey Architecture, and Brent Davis-Brent Davis Architecture

Call to Order

Mayor Futrelle called the meeting to order at 9:02 a.m.

Moment of Silence

A moment of silence was observed.

Mayor Futrelle welcomed everyone, and introductions were made.

Multi-Family Housing Stakeholder Conversation

Ms. Shook thanked everyone for being at the meeting and noted that Council wished to have an open and honest dialogue with the participants regarding existing multi-family policies and regulations and asked that the participants feel free to discuss with Council any items related to multi-family development in the Town of Boone.

Mr. Randy Dixon, the developer of Skyline Terrace Apartments, stated he had developed Highland Crossing Apartments and Skyline Terrace Apartments in Boone. He noted that he developed the first project in town under the new affordable housing regulations. Mr. Dixon stated that 35% of the tenants at Skyline Terrace were undergrads, with the remaining tenants being graduate students, couples, and elderly people. He stated that Highland Crossing Apartments were sold, but he planned to retain ownership of Skyline Terrace Apartments for 5-7 more years. Mr. Dixon noted there was a high demand for housing in the area, and another phase of Skyline Terrace was currently underway. He stated there was a waiting list for housing at Skyline Terrace. The current phase would be a mixed-use project consisting of efficiency apartments and one and two-bedroom units. Mr. Dixon stated there would be 144 housing units in this phase. Mr. Dixon noted that Burkley Communities was the property manager for Skyline Terrace Apartments.

Mr. Dixon stated that he primarily developed multi-family projects but would like to develop a single-family rental project. He felt it was important to engage in long-term community building and provide good projects in appropriate places.

Mr. Dixon noted that the cost of building materials, land, and infrastructure was high and made developing affordable housing almost impossible. Mr. Stafford Kelly, Vice-President of Development & Acquisition at Burkley Communities, stated it was hard to find skilled labor. He said the development cost per unit for the current phase of Skyline Terrace was about \$200,000. The cost per unit to build for phase one was \$140,000. Mr. Dixon added that these were basic units, not high-end units.

Ms. Meade asked Mr. Dixon what he meant by affordable housing. Mr. Dixon replied that he was speaking about workforce housing, not subsidized housing. He stated the cost of construction was the same for low or middle-income housing.

Mr. Dixon noted that Boone had fees that other places did not have, such as system development fees, the requirement to install individual water meters, and topography-related issues.

Mr. Dixon felt that there were very few places where mixed-use projects worked. He suggested that they be located only in business districts.

Mr. Dixon asked why Boone had a requirement that parking spaces could not be located in front of the building. He stated that this required customers to park in the back of the building and walk around to the front to enter. Mr. Dixon added that lenders had issues with lending money for upfits in mixed-use buildings, which caused developers to have more expensive residential units to subsidize the commercial units.

Council Member Roseman expressed concern about the raise in rent prices at Skyline Terrace Apartments.

Mayor Futrelle called a break in the meeting from 10:15 a.m. until 10:35 p.m.

Mr. Dixon stated that there were hoops that developers had to jump through in Boone that they did not have to in other areas. He noted that they spent \$75,000 on this phase before they even knew if they had approval for the project. Mr. Dixon explained that the City of Greensboro left it to the staff to enforce standards, and they only required conceptual plans. He stated it was difficult to be subjected to the individual opinions of board members on what they thought looked good and try to figure out whom they had to appease. Mr. Dixon felt that Greensboro did not micromanage its staff like Boone did. He added that gaining project approval in Boone could be a crap shoot.

Mayor Pro Tem Tugman asked about the differences in development costs between Greensboro and Boone. Mr. Dixon replied that Boone required a full set of development plans and a TIA. He stated that Boone had reasonable permit prices, the building permit process was reasonable and quick, and there was good communication. However, the initial approval process was harder.

Council Member George asked Mr. Dixon what he felt were barriers to development. Mr. Dixon replied that the uncertainty of project approval was a barrier. He also noted that there were not a lot of large tracts of land to create larger projects. Mr. Kelly stated he would love to do smaller infill projects.

Mr. Dixon noted that approval was subjective in Boone. In Greensboro, if you met the Comprehensive Plan policies and their ordinance standards, you were given approval. In Boone, it was more about relationships rather than meeting standards. Mr. Dixon stated that Boone needed to be a community that said what it wanted so that those expectations could be recognized.

Mayor Futrelle asked what the impediment was for Boone. Mr. Dixon again cited the uncertainty of approvals and system development fees. He also noted the up-front costs associated with installing individual water meters. Mr. Dixon felt that cost was a deterrent for flippers but thought it was a good up-front cost for owner-operators in the long term. Mr. Kelly felt the key factor was the uncertainty risk.

Ms. Meade asked Mr. Dixon what he felt were barriers to developing under the affordable housing regulations. Mr. Dixon stated that the requirement that 25% of the units had to have a carport or garage

added significant cost. He also felt that the requirement that the master bedroom had to be 25% larger than the secondary bedroom was unnecessary. Ms. Shook added that there was also a requirement that 50% of the livability space was to be reserved for the ground floor units. Mr. Dixon stated that bike racks were required but noted that people did not use them because they did not want to leave their \$2,000 bikes outside.

Mayor Futrelle ended the morning session and called a break in the meeting from 11:38 a.m. until 12:08 p.m.

Local Design Professionals Stakeholder Conversation

Mayor Futrelle welcomed the attendees of the afternoon session, and introductions were made.

Mr. Michael Trew, an engineer with Municipal Engineering, began by stating that he had participated in the 2030 Land Use Master Plan charrettes. He added that he felt insulted as an engineer and a taxpayer that his ideas were thrown out by the Town Council when the 2030 Plan was repealed. Ms. Meade noted that the Town Council consisted of different members at the time the 2030 Plan was repealed.

Mr. Trew outlined some items he felt were issues or things that could be improved. He stated that height restrictions in a valley community were short-sighted. Mr. Trew noted that when growth could not go out, it needed to go up. He suggested allowing more height in areas such as Howard Street.

Mr. Trew stated that the Planned Development process, which allowed approval of a project based on its merits and not use standards, was removed from the UDO. He felt that the Planned Development process allowed design professionals to produce a more creative project.

Mr. Trew stated there was a need for more single-family housing. He felt there should be more subdivisions but noted the stormwater detention and infrastructure requirements were deterrents.

Mr. Trew suggested that the affordable housing regulations pushed developers to develop multi-family housing in the B3 zoning district instead of the R3, which was the multi-family housing zoning district. He noted that the affordable housing regulations limited how much could be built in the R3 because the height was limited, livability space was increased, and the cost of parking was increased. Mr. Trew felt that these regulations did not provide affordable housing.

Mr. Trew urged the Council to accept the fact that Boone was a college town and to consider looking at areas of town where student housing could be developed.

Mr. Alan Crees, an engineer with Municipal Engineering, felt that the site lighting standards were rigorous. He suggested that there needed to be more lighting in the parking lots. Mr. Crees also suggested allowing some flexibility for applicants to not light their entire parking lot if they did not have a nighttime use. Mr. Crees stated that stormwater detention was an issue. He noted that the 5, 10, and 25-year storms needed to be detained. Mr. Crees explained that currently, the 10-year storm was allowed to pass through the system without detention because only the 25-year storm was required to be detained.

Mr. Bill Dixon, an architect with Appalachian Architecture, cited issues with height requirements and density limits in the Downtown. He felt that the Community Appearance Standards needed to be revisited. Mr. Dixon noted that unforeseen issues sometimes arose that caused the need for an extension of a zoning permit. He stated he would like to see an easier process to obtain an extension.

Mr. Dixon stated that the short-term rental regulations affected him and his wife and seemed arbitrary. He felt there were issues with the tiered system for improvements to properties that should be revisited and made easier to understand.

Mr. Dixon expressed concern with the Historic Preservation Commission. He felt that the HPC controlled Downtown development. Mr. Dixon stated that the quasi-judicial process was difficult because there was

no informal engagement allowed between the Commission and the applicant, which made the process longer and more arduous. Ms. Meade replied that there had been some discussion regarding allowing a consultation between the applicant and the HPC that was not in a quasi-judicial setting.

Mr. Patrick Beville, an engineer with IONCON Engineering, stated that the staff enforced the regulations, but he felt there were times when the staff needed the expert opinion of an engineer or an architect, especially in the historic district.

Mr. Beville stated that the flood maps were sometimes wrong and needed to be updated. He felt that judgment calls were being made regarding flood compliance.

Mr. Beville noted that he had an issue with the calculations for a grease interceptor. He explained that the staff complied with the Town's regulations, but those regulations did not make sense from an engineering standpoint.

Mr. Beville stated that the Community Appearance Standards needed to be revisited if they allowed projects that looked like the 5 Star Car Wash. He suggested that Town Council look at the Table of Principal Uses in regard to auto-dependent businesses along corridors.

Ms. Brean Wilkes, an architect with Coffey Architecture, stated she had designed mixed-use developments in Detroit's historic district. She noted that Boone's process was harder than Detroit's.

Hunter Coffey, an architect with Coffey Architecture, agreed with all of the concerns that had been presented. He added that the permitting and review process was onerous and took at least 60 days. Mr. Coffey felt there needed to be a more streamlined process. He stated that design professionals did not feel like there was anyone they could talk to about what they thought were stupid regulations. Mr. Coffey felt that the rules constantly changed, and he found the lack of continuity to be frustrating.

Mr. Brent Davis, an architect with Brent Davis Architecture, stated he loved mixed-use developments but expressed concern with the amount of empty retail spaces in those developments. He felt that buildings in the B3 should not be right up on the street. Mr. Davis suggested that building height restrictions and parking regulations needed to be revised.

Ms. Wilkes felt that Boone needed an urban planner as a consultant. Mayor Pro Tem Tugman asked Ms. Wilkes if she thought the 15-minute city concept would work in Boone. Ms. Wilkes replied that it could be possible.

Mr. Trew noted that the Planning Department needed more support from the Town Council.

Mr. Coffey felt that outside consultants were needed to provide their expertise to the staff.

Ms. Meade stated that writing code to allow discretion for spirit and intent should be fairly simple. She suggested maximizing development as of right and using the Board of Adjustment primarily for variances.

Mr. Coffey felt that the Town would get higher quality development if they had a performance-based code instead of a prescriptive-based code.

Mayor Futrelle stated that the Council wanted to create efficient and effective regulations.

Mr. Beville stated that the UDO was too thick.

Mayor Futrelle called a break in the meeting from 2:30 p.m. until 2:38 p.m.

Next Steps

Ms. Shook felt there should be another developer meeting because everyone that was invited did not get to attend the meeting today. She suggested another stakeholder meeting focused on single-family

housing and affordable housing. Ms. Shook asked Council members to think about whom they would like to invite to this meeting as it related to affordable housing.

Ms. Shook noted that she had been speaking with other towns regarding the process they used when updating their Comprehensive Plan.

Adjournment

With nothing further, Mayor Futrelle adjourned the meeting at 2:48 p.m.

Tim Futrelle, Mayor

Brenda Henson, Administrative Support