TOWN OF BOONE
TOWN COUNCIL, COMMUNITY APPEARANCE COMMISSION, HISTORIC PRESERVATION COMMISSION & PLANNING COMMISSION
JOINT MEETING MINUTES
TUESDAY, APRIL 20, 2021 at 6:00 P.M.

COUNCIL MEMBERS:	Mayor Rennie Brantz, Mayor Pro Tem Connie Ulmer, Nancy LaPlaca, Virginia Roseman, Sam Furgiuele and Dustin Hicks
CAC MEMBERS PRESENT:	Chairperson Brian Williams, Vice-Chairperson Sarah-Davis Cagle and Maggie Trumpower
HPC MEMBERS:	Chairperson Eric Plaag, Bettie Bond, and Chuck Watkins
PLANNING COMMISSION MEMBERS:	Chairperson Elizabeth Shay, John Tippett, Frank Veno, Amanda Halbert, Adam Zebzda and Christine Behrend
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections, Brian Johnson, Urban Design Specialist, Christy Turner, Senior Planner, Mike James, Senior Planner, Brenda Henson, Administrative Support Specialist, Stacey Miller, Chief Building Inspector, Matt McGregor Staff Intern and Marlene Crosby, Board Secretary
OTHERS PRESENT:	John Ward, Town Manager, Allison Meade, Town Attorney, Lane Moody, Downtown Boone Development Coordinator, Chris Miller, GIS Specialist and Kayla Lasure, Watauga Democrat

CALL TO ORDER

Mayor Rennie Brantz called the joint meeting with the Community Appearance Commission, Historic Preservation Commission, Planning Commission and the Town Council to order held via WebEx, a video conferencing software on April 20, 2021 at 6:05 p.m.

PUBLIC COMMENT

Mayor Brantz opened the floor for public comment.

Ms. Jane Shook, Director of Planning and Inspections noted that she had received a request from Mr. David Jackson, President and CEO of the Boone Chamber stating that he wanted an invitation to attend this virtual meeting. She explained that it was not clear, if he wanted to sign up for public comment or that he just wanted to listen in to the meeting. She noted that it did not appear that Mr. Jackson was attending this virtual meeting.

Mayor Brantz opened the floor for public comment.

No individuals requested the opportunity to speak during public comment.

Mayor Brantz closed the floor for public comment.

DOWNTOWN PLANNING PROJECTS UPDATE

Ms. Shook began discussion on the agenda topic and noted that the Planning Commission had reviewed the preliminary Downtown Planning Projects document and recommended that the Planning Staff move forward with the public input sessions.

Ms. Shook said the Historic Preservation Commission at their last meeting approved the final draft District Designation Report and recommended that it be presented to Council for their review. She said the HPC also reviewed and approved the draft language for Rooftop Additions.

Ms. Shook said in this joint meeting the Planning Staff will present information related to the public input sessions and discuss the next steps for the Downtown Planning Projects.

Ms. Shook reviewed Downtown Planning Projects, Public Input Communications/Planning Calendar (permanently on file). She described the different communication types, cost and the dates. She pointed out the options for in person appointments for those unable to participate virtually.

Ms. Shook reviewed the May and June 2021 calendar dates pointing out the dates for the rolling out of the website, postcards and the scheduling of the individual appointments. She pointed out a suggested range of dates to be discussed for the public input sessions.

Ms. Shook explained that there are four ways for the Town to receive public input information and those ways are through the mail, through the Downtown Planning Projects website under, "What's Your View", Public Input sessions and the individual appointments with the Planning Staff.

Discussion ensued on the postcards. Ms. Shook explained the purpose of the postcard mailer in detail and asked for feedback on it. Planning Commission Member Frank Veno said that he liked the postcard mailer and he believed that the public would pay attention to it. He asked Ms. Shook about the options for receiving public input. Ms. Shook said she would like to use all of the options that she presented and she would like to have feedback on them. Mr. John Ward, Town Manager asked Ms. Shook if the postcard mailer would capture the Downtown Business owners. Ms. Shook said she hoped that the Downtown Business owners would be captured through the emails from the Downtown Boone Development Association. Ms. Shook pointed out that the said emails would contain the same information as the postcard mailers. Ms. Shook talked about the tenants receiving the information and that every tenant in 230 properties in the district would need to receive the postcard mailer information. Mayor Pro Tem Connie Ulmer suggested putting the postcard information in the local newspaper. Ms. Shook confirmed that a press release could be sent to the local newspaper. Ms. Kayla Lasure from the Watauga Democrat confirmed that a press release can be done. Planning Commission Member Adam Zebzda suggested sending the postcard information to "The Appalachian". Ms. Shook confirmed that the information can be send to a variety of sources. Ms. Lane Moody, Downtown Boone Development Coordinator said that she is working on the DBDA newsletters and she can possibly include a copy of the postcard into the newsletter. She noted this would be in addition to the emailing of the information to the DBDA.

Ms. Shook explained in detail the things that are included in the Downtown Planning Projects website which includes the history, B-1 Expansion, story maps, Unified Development Ordinance text amendments and zoning map amendments, existing zoning and the public input sessions and individual appointments with the Planning Staff, section for frequently asked questions and section for Downtown Business owners testimonials.

Ms. Shook talked about the draft documents that the Planning Staff will share with the public. She explained that the text has been modified in CASE PL03370-112019 for the B1 Expansion project. She said all other text to be modified has been moved to the text amendment where the Town is addressing compliance with the General Statute 160D. She said the text that is highlighted in yellow on page 5 of the meeting packet shows the framework for said statute. She explained that the UDO had to be reformatted as a result of this change.

Ms. Shook talked about a change in Article 14.19 from B1 Central Business District to Downtown Core and B1 Downtown Interface Districts. Mr. Brian Johnson, Urban Design Specialist reviewed the proposed changes highlighted in green and blue found on packet pages 28, 35, 36, 41 and 42.

Mr. Johnson talked about exceptions for prohibited materials found on packet page 52. HPC Chairperson Plaag asked Mr. Johnson if historical material was defined somewhere in the ordinance. Mr. Johnson said that was a good question and he would check on it. Ms. Allison Meade, Town Attorney pointed out that she thought that the general definition of historical was defined in the UDO as basically being older than fifty years. Ms. Shook agreed. Ms. Meade said that if there is a need to define the said definition in other documents, then it should be separately defined. Mr. Johnson clarified that in Article 14.19 06. 6 B that any building or building material that is 50 years old as of May 1, 2018 is defined as historical. He also noted that if the Planning Staff needs to further define this topic, they can do it.

Mr. Johnson talked about the revising of text on shed and roof canopies found on packet page 44 in a.3 and b.3. and on packet page 48. Ms. Shook clarified that the proposed text changes under Colors and Field Materials on packet page 43 was to make the proposed text more clear and easier to understand as a result of the Town Attorney's review of it.

Mr. Johnson explained the adding of proposed text on packet page 50, under K. 1. and 5.

Discussion ensued on the Downtown Streetscape Plan. Mr. Johnson explained the changes to the proposed text on packet page 52 under L. 1.A Downtown Streetscape Plan. Ms. Shook pointed out that this section is highlighted not because it was changed but because the Town Attorney had a question on the Downtown Streetscape Plan. Ms. Shook explained that at one time the Planning Staff had created a Downtown Streetscape Plan. Ms. Shook asked Mr. Ward if the plantings were added to said plan by a former Downtown Boone Development Coordinator. Mr. Ward said he would need to review his records to recall the landscaping portion of the plan. Ms. Shook explained that before this Downtown Streetscape Plan information is presented to the public, we need to make sure that there is an adopted Downtown Streetscape Plan.

Discussion ensued on Rooftop Additions and Limited Structures. Mr. Johnson referred to packet page 45 under 8.d. Ms. Shook pointed out that the Historic Preservation Commission adopted the proposed text on this topic. Ms. Shook said that a new use A-27 had been added on packet page 19 for limited structures that enable the recreation use on rooftops. She said these new requirements will address the location of the rooftop addition but they do not change how the addition is permitted. She noted that the Planning Staff did not populate the Table of Permissible Uses because the Planning Staff wanted to have a discussion on the limited structures. Ms. Shook said the new use will be tied back to packet page 45. Mr. Johnson read the standards that are on packet page 45, Section d.i.ii.iii. found under the Addition section and said, they would apply to the B1-Downtown Core or Interface. HPC Chairperson Plaag made a suggestion to change to proposed text at the end of Section d.i.i., he suggested making the text read, "closest to the non-primary, non-secondary façade area of the existing building. Ms. Shook noted that the Planning Staff needs to make a proposed text change to solar arrays, she said she thought solar arrays should be regulated in another

section of the UDO. Mr. Ward asked if anyone had completed rooftop triangular calculations to see if it would allow rooftop use. HPC Chairperson Plaag pointed out that the Griff Gilbert rooftop addition is good example to go by on said topic. Ms. Shook noted that she and Mr. Johnson had discussed where the calculations would be performed either along the right-of-way or directly in front of the building. Ms. Shook said in the National Park Service Rooftop Additions Guidance material, it gave an example of the sides of a building being built out and additional brick was added to it. Ms. Shook asked if there are differences in the types of additions and what the requirements should be. HPC Chairperson Plaag said the requirements should include the size of the building and the compatible building materials. He also said that generally the expectation is when you are standing in the front of the building on either side of the street of the right of way, you should not be able to see any part of the addition. Council Member Furgiuele suggested identifying what the vantage point range should be. Mr. Ward agreed with Council Member Furgiuele and Mr. Ward noted that his main concern is how it is measured and replicated moving forward. HPC Chairperson Plaag suggested using the five-feet six inches to six-feet range above any portion of the right of way measurement from an observer's viewpoint because it includes the sidewalks. Council Member Furgiuele agreed with HPC Chairperson Plaag.

Discussion ensued regarding the administrative process for Rooftop Additions. Ms. Shook explained that the building would be permitted the way the use is permitted but the limited structure is what is put into the Table of Permissible Uses under A-27 because it will facilitate the recreation use of the open rooftop. Council Member Furgiuele noted that in his view, the rooftop addition could go through a transitional zone process in the B1 Downtown Core and B-1 Interface Area. He said this because in certain neighborhoods next to the B1 Downtown Core the homes are close enough to hear the sound as it travels from the rooftops. He also pointed out that the transitional zone process will also address how the impacts will be mitigated. He said in the historic district that the conditional district zoning process should be followed because this process would address the impacts which would include noise. Council Member Roseman supported the transitional zone process. HPC Chairperson Plaag suggested that any rooftop proposal include the transitional zone process throughout the Town.

Ms. Shook noted that in the R-3 zoning district for flat roofs, it is required to use one-half of the roof for livability space. She also noted that we have to be aware of all the consequences in all the districts and further analysis might be needed for some properties.

Ms. Shook asked if we are looking at the same distance to be followed in the transitional zone process. HPC Chairperson Plaag suggested 200 feet for the transitional zone process.

Discussion ensued on mitigating the noise impacts from Rooftop Additions. Mayor Pro Tem Connie Ulmer noted that she likes to hear noise when she walks in the Downtown area. Council Member Virginia Roseman said that she would suggest some type of sound barrier to push the volume of the sound in the proper direction and still allow the people living in the Downtown area have a voice and protect their way of living. Mayor Pro Tem Ulmer agreed with Council Member Roseman. Community Appearance Commission Chairperson Brian Williams said that he lives about a block away from the B-1 Downtown Core and he agrees with Mayor Pro Tem Ulmer noting that he bought his home in the Downtown area because he likes the vibrancy that you get from a Downtown area. He suggested not over mitigating the noise impacts in the Downtown area. HPC Member Bond noted that there is a noise ordinance that helps to regulate the noise impacts in the Town.

Ms. Shook pointed out that the Planning Staff is seeing more interest in outdoor spaces and making recreational use of rooftop spaces. She said this helps to expand the square footage of the building which adds an attraction to the building. She noted that the space is limited for outdoor construction. She said that

in the public input sessions there will be comments on these types of things. She said in the past, when the Planning Staff had met with developers regarding larger renovations the use of the outdoor space is usually discussed.

Mr. Ward explained that with the real estate prices going higher that people want to use every bit of their space in their building whether it be the basement or the rooftop. He said another thing that is driving the use of outdoor space is the pandemic and the businesses with the outdoor spaces have been more successful.

Ms. Shook noted that the Planning Staff will make the changes to the proposed text that were discussed in this meeting which will include the adding of the transitional zone T-300 feet in the reference column of the table. She said after all of the public input sessions, there will be proposed text that will cover all of the zoning districts.

Planning Commission Member Frank Veno asked if solar panels affect building height on downtown buildings. Ms. Shook said there are general statutes that regulate solar collectors on residential buildings and on other buildings. She further explained that the Town went through a Sole Smart designation that reviews the Town's regulatory framework to see how clean and energy friendly the Town is and what kind of practices that the town has in place. She said that Council has already authorized the Town to move forward with the Sole Smart suggested changes. She said the changes will clearly state where the solar collectors can be placed on a structure. She said it is important that the Town move forward with the Sole Smart suggested changes. She said the Town has contacted Tesla and they want to install a super charger for Tesla owners in the Town. She said there are a lot of energy related uses that need to be addressed in the UDO. She pointed out that in the historic district the solar uses can be different.

Council Member LaPlaca pointed out that no one is going to install solar in Boone as long as you have to sell every kilowatt to New River Light and Power for two cents. She said in Asheville, North Carolina you see a lot of solar installation but in the Boone area you do not see them. She said as long as NRLP does not want net-metering and only pays two cents, when you pay them ten cents. She pointed out that at some point there will be solar batteries available but it will take longer to get them. She said at some point in time the commercial application for solar plus batteries which will be much more economical for businesses, before they work for residences because of the way that the rates are structured.

Ms. Shook referred to packet page 55 and she began discussion on the proposed text changes to the following document entitled, "Downtown Boone Local District Design Standards and Handbook, the last revision date was April 20, 2021. Ms. Shook noted that she has created a "Table of Contents" for the said document. She turned the meeting over to Ms. Christy Turner, Senior Planner to review the changes in the said document.

Ms. Turner explained that the term "guidelines" was changed to "standards" throughout the "Downtown Boone Local District Design Standards and Handbook" because of a requirement of 160-D. Ms. Shook said the Planning Staff added a section in the said document that stated that the Historic Preservation has the right to consult with the National Park Service or the State Historic Preservation Office as needed. Ms. Shook said there was one small change under the draft designs standards that the HPC had originally created two processes which are the COA for minor and major work. She said the minor work does not go through the quasi-judicial process through the HPC but it is a Planning Staff level approval. Ms. Shook explained that the COA process is defined in general statutes. Ms. Shook said the COA application has been changed to a "Statement of Conformity" for a minor change due to 160-D, and is still a Certificate of Appropriateness for a major change.

Ms. Shook explained that the Planning Staff had met with the State Historic Preservation Office and they had suggested to designate the district using the Secretary of Interior Standards as the guidelines for the regulations in the district for the HPC to act upon and not use the guidelines that the HPC had drafted. Ms. Shook said after discussing this information with the Town Attorney and the HPC the result was to use the design standards that the HPC has worked on and present them during the public input sessions.

HPC Chairperson Plaag explained the difference between the Secretary of the Interior Standards and the standards that the HPC has worked on for about five years. He said the HPC's work included consulting with other districts and how they handled similar types of architecture in their Downtown areas and reviewing the National Park Service guidelines. He further explained that often when a Town wants to designate a district, they will adopt the ten general standards as a place holder until the specifics are worked out. He said that he had discussed with Ms. Meade and Ms. Shook about letting the property owners know what specific standards will apply to their properties and give them the opportunity to provide feedback on it. He said the next step would be to approve a set of design standards that are fairly specific so that property owners know what to expect.

Ms. Meade agreed with HPC Chairperson Plaag on moving forward and using the Boone standards and she noted that it will be a steep learning curve for the Planning Staff and the HPC as the Certificate of Appropriateness process begins.

Ms. Turner reviewed the proposed changes to Rooftop Additions found on packet page 141 in 7.6.A, 7.6.B, 7.6.C, 7.6.D, 7.6.E. Ms. Turner clarified that Rooftop Additions must be approved through the Conditional District Zoning process prior to being considered for the Certificate of Appropriateness process associated with these standards.

Ms. Shook explained the documents that will be available for information at the public input sessions for the Downtown Boone Local Historic District will include: Comprehensive Architectural Survey of the Downtown Boone area, District Designation Report, Design Standards and a Zoning Map Overlay. She said these documents will be on the Town of Boone website for the public to review.

Ms. Shook explained that the following documents need to have proposed changes made to them: B-1 Expansion Text and Design Standards. She explained that she would like to make the changes as they were discussed in this meeting and ask the CAC Chairperson and HPC Chairperson and Town Attorney to review those proposed changes. She said after the said documents had been reviewed, they would be published for the public input sessions. She confirmed that there was consensus from the Council for the Planning Staff to move forward with the proposed changes to the said documents.

Discussion ensued on the ways to publicize the proposed documents. Ms. Shook asked if everyone was in agreement with the proposed ways to publicize the said documents as the Planning Staff has outlined under the Communication Type on the proposed meeting calendar found on page of two of the meeting packet. She confirmed that there was consensus from the Council on said agreement.

Discussion ensued on the public input session dates in the proposed meeting calendar provided by the Planning Staff. Ms. Shook asked the Council for direction on how they would like for the Planning Staff to move forward with the scheduling of the public input sessions. Council Member Roseman suggested having possibly two input sessions with one session on the week of May 10 and another session on the week of May 17. HPC Chairperson Plaag suggested having one of the sessions during the day time. Ms. Shook noted that the Planning Staff would prefer that the Council be present at the public input sessions. HPC Chairperson

Plaag suggested having an evening meeting on Tuesday, May 11, 2021 at 6 p.m. after the HPC meeting. As a result, Ms. Shook said the Planning Staff would schedule the public input sessions on the following dates and times: Tuesday, May 11, 2021 at 6 p.m., Wednesday, May 19, 2021 at 9 a.m. and on Thursday, May 27, 2021 at 6 p.m.

Discussion ensued on the date for the joint meeting with Council, CAC and HPC to review and discuss the information received from the public input sessions. Ms. Shook had suggested Wednesday, June 9, 2021at 6 p.m. for the joint meeting. As a result, Ms. Shook confirmed that based on this discussion the said date and time would work for the joint meeting.

Mayor Pro Tem Ulmer showed her appreciation for all of the hard work that has occurred on the two work products by the CAC and HPC and the Planning Staff. Ms. Shook voiced her appreciation to the Council, CAC, HPC, and the Town Attorney for all of their work.

ADJOURNMENT

With no other topics to discuss, Council Member LaPlaca made a motion, seconded by Mayor Pro Tem Connie Ulmer to adjourn the meeting at 8:27 p.m.

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

Rennie Brantz, Mayor	**Brian Williams, CAC Chairperson**
Eric Plaag, HPC Chairperson	**Marlene Crosby, Board Secretary**