

**BOONE TOWN COUNCIL
DOWNTOWN PLANNING PROJECTS - PUBLIC INPUT SESSION #3
THURSDAY, MAY 27, 2021, 6:00 P.M.
VIA WEBEX SOFTWARE**

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

HISTORIC PRESERVATION COMMISSION: Chair Eric Plaag-Chair, Vice-Chair Phoebe Pollitt, Bettie Bond, Chuck Watkins

COMMUNITY APPEARANCE COMMISSION: Vice-Chair Sarah-Davis Cagle

PLANNING COMMISSION MEMBERS: Chair Elizabeth Shay, Amanda Halbert and Adam Zebzda

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

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: John Ward, Town Manager; Lane Moody, Downtown Coordinator

OTHER ATTENDEES/PARTICIPANTS VIA WEBEX: David Jackson and Kayla Lasure

CALL TO ORDER

Mayor Rennie Brantz called the special meeting of the Boone Town Council to order at 6:03 p.m. and welcomed everyone.

Ms. Shook noted that at that time there were no members of the public available and asked Council how they wanted to proceed. At that time David Jackson, with the Chamber of Commerce joined the meeting. He noted that he had already seen a previous presentation. Ms. Shook opened the floor for public comment.

Mr. David Jackson, Executive Director of the Boone Chamber noted that he had received feedback from the downtown business owners. He noted that the turn out for public input sessions is not always as high, as we would like for it to be. He said the public doesn't necessarily take advantage of the chance to give their public input and learn more about proposed changes in the Downtown area. He said he had heard from two property owners in the Downtown area that they are no longer considering the Downtown area for development. He said the reason is because they feel it will be too difficult to do what they want to do, because of the possibility of moving away from rooftop additions. He said the business owners that he had heard from may not have been necessarily informed enough on the proposed changes. He noted that there is confusion and anxiety among some of the Downtown property owners regarding the limiting of what they can do with their property. He said he thought that more discussion could occur on uniform aesthetic appearance. Mr. Jackson said that he has not heard anyone yet that said they are against a historic look or feel in the Downtown area.

Council Member Roseman asked Mr. Jackson if he could repeat what the two property owners said about what they were considering to do with their property. Mr. Jackson said that both of them were thinking about restaurants with rooftop access like in the spirit of the Horton Hotel and a smaller gathering space that is very popular right now in many other communities. He said these two property owners are still looking to continue their projects in the community, just not in the Downtown area.

Mayor Brantz asked if there were other people signed up for public comment. Ms. Shook said that Mr. Tommy Ballas, Ms. Lisa Curry, Ms. Diane Blanks and Ms. Karolyn Mack had requested invitations to this public input session along with Mr. Jackson but only Mr. Jackson was in attendance.

Ms. Shook said the next step was the joint meeting of the Council, the Community Appearance Commission, the Historic Preservation Commission and the Planning Commission on June 9th and that Staff would compile the presentation, the meeting minutes and any outside public input for review.

Ms. Shook shared public input that she had received from the website during the month of May 2021. She said that Mr. Nick Caters, Associate Vice-Chancellor of Facilities at Appalachian State University sent in an email with his public comment. Mr. Caters showed concern for the eight University properties that would be zoned into non-conforming uses based on the UDO Section 14.03 Educational Districts Established. He said the University is requesting that consideration be given to these eight properties that they will not be zoned to cause conflict with properties contiguous to the main campus. He said that he has submitted a map to the Planning Staff that shows the location of the eight properties. Ms. Shook noted that she would include Mr. Caters' letter in the June 9th packet.

Ms. Shook noted that she had received an email from Jim Deal via Lane Moody and that Mr. Deal had written:

"I have heard from several folks who are very concerned about the new Downtown Business Interface District. It makes numerous properties nonconforming and the usage of the properties does not fit well with a Downtown business designation. It also brings properties that have historically been residential into a business district that does not seem to apply. The document is hard to read and interpret for people who are not attorneys and it is hard to read for those of us who are attorneys. Many of the properties that are affected are not part of the DBDA."

Ms. Shook said that Ms. Amy Bricks entered her public comment through the website. Ms. Bricks wrote:

"I think that this could greatly impact the downtown area of Boone. The areas between King and Howard are vastly underused and feel like forgotten spaces that have been left to rot instead of being repurposed into aesthetic and useful areas for businesses to use. Should this project address those areas I feel that it will receive positive feedback and see a boost to King St commerce. Along with the area between King and Howard, the edges of Downtown have no pull to guests leading to congested areas in the "heart" of downtown, public use restrooms (to avoid guests coming into business just for the bathroom) or possibly even better parking opportunities offered at either end would help balance out the distribution of Floridians."

Ms. Shook said that Mr. Jordan Sellers entered his public comment through the website. Mr. Sellers lives on Bent Street which is currently zoned B1. Mr. Sellers commented:

I live on Bent Street, currently zoned B-1. I am surrounded by commercial properties and am feet off of King Street. I bought the property in 2018, largely due to the fact that it was commercially zoned. I have hosted and may again host short-term rentals, as I depend on some sort of income from the property, so going to a more restricted zone would have a significant effect on my income. For numerous other reasons, from future resale value to the possibility that I use the property commercially myself, anything changing me from my current zoning to more restrictive zoning is something I'm strongly opposed to.

Ms. Shook clarified Mr. Sellers property is located on Bent Street and this is where a group of properties are located that are being proposed to be rezoned to R1A. She noted that there is a property that we may want to give additional consideration to on Straight Street. She explained that she would have to confirm, but she thinks the property on Straight Street is residential and it is proposed to be in the B1 Interface.

Ms. Shook said she had received public comment from Mr. Garr who lives at 202 Grandview Heights. He showed concern for a property nearby that is being used for recreation or greenspace, a bird sanctuary or utility access. He wanted to know the Town's intentions for this property and why would it be rezoned, when you cannot build on it. Ms. Shook said the Planning Staff met with Mr. Garr and shared with him the discussions that Council has had regarding that particular piece of property. Ms. Shook said that Mr. Garr

had no objections and was excited about additional opportunities with the property, especially, with the trail that might be coming through the property.

Ms. Shook noted the website has had 325 unique visitors and 100 of those visitors were added since the previous meeting.

Mr. John Ward, Town Manager voiced a couple of public comments that had come to Town Hall. He said he encouraged each person that reached out to him to participate in one of the public input sessions. He said each one of these three individuals were either in the process or planning, further expansion of the use of their buildings through potential rooftop amenities. He said each one of them that contacted him were concerned about the proposed size limitations.

Council Member Furguele asked about the opportunities that people have right now for rooftop development, if no change occurred. Ms. Shook read the current requirements that are located in UDO Section 16.08. Council Member Furguele confirmed that this section of the UDO is for the B1.

Mr. Ward showed concern for a possible rush of people applying for permitting before the public hearing process occurs to try to get their permits before the proposed restrictions are possibly approved.

Council Member Furguele talked about a few of the comments that were communicated in this meeting, he said he felt the comments were reasonable for possible change to particular parcels maybe. He said he agrees with examining the properties on Bent Street regarding the residential and commercial uses. He said as far back as he was the Town Attorney that he has heard that it is impossible to develop in Boone and yet we have an incredible amount of development. He said in thinking about the future, it is not just to accommodate an individual who may find discomfort in change. He said he has also heard people complain about the way Boone was developed and the lack of preservation. It noted that it is unfortunate that people do not come out to speak during public input sessions. He said he does believe that there is a great body of people here that want to see things protected and preserved. He said he felt that we should not be dissuaded by people who see proposed change as adding some complications.

Historic Preservation Commission Chairperson Eric Plaag explained that on the Digital Watauga website, the responses were overwhelmingly supportive for at least the historic district portion that was presented. He stated that he felt that the community of people that live and work here in Boone are frightened by the fact that so much of our history has been demolished and disappointed to see so much happening in our Downtown community. He urged everyone to take a look at the feedback on said website and see how people feel about these proposed projects.

HPC Chairperson Plaag asked Ms. Shook if the proposed rooftop standards for rooftop uses does not prohibit the rooftop uses in any way. Ms. Shook said it does not prohibit, it does provide some additional guidance for the construction and additional transitional zones, meaning applicants may have to obtain additional approvals than currently. Ms. Shook said the proposed requirements and additional guidance is on the website.

Council Member Furguele noted transitional zones do create a requirement of a different procedure. He said the transitional zones are an attempt to balance the interest of the developers with the residential neighborhoods. He explained that the different procedure simply offers an opportunity for the people that are negatively affected and for the developers to actually think in advance before they propose a development and before a development is approved regarding the ways they can mitigate the predictable impacts. He confirmed with Ms. Shook that they could not think of any proposed projects that have been turned down by the approval process. Council Member Roseman said that she can appreciate the hurdles that one must go through to make sure what you do is in the best interest of the community as a whole and not just for a business.

Council Member Furgiuele asked Ms. Shook if she could get the comments from HPC Chairperson Plaag from the Digital Watauga Project website.

ADJOURNMENT

Council Member Roseman made a motion, seconded by Mayor Pro Tem Ulmer to adjourn the special meeting at 6:52 p.m.

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

Rennie Brantz, Mayor

Marlene Crosby, Board Secretary