TOWN OF BOONE
QUARTERLY PUBLIC HEARING
MONDAY, AUGUST 3, 2015
5:30 P.M.

COUNCIL MEMBERS PRESENT:	Mayor Pro-Tem-Rennie Brantz, Lynne Mason, Loretta Clawson and Quint David
PLANNING COMMISSION MEMBERS PRESENT:	Vice-Chairperson Greg Simmons, Jon Tate, Matthew Long, Jeff Templeton, Tom Jamison, Connor Boyle and Frank Bolick
STAFF MEMBERS PRESENT:	Bill Bailey-Director of Planning & Inspections Dept., Jane Shook-Planning Supervisor and Marlene Crosby-Board Secretary
OTHERS PRESENT:	John Ward-Town Manager and Allison Meade-Town Attorney

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CALL TO ORDER

Mayor Pro-Tem Rennie Brantz called the hearing to order at 5:46 p.m.

CASE 20150021 WELLNESS DISTRICT SMALL AREA PLAN

Mr. Bill Bailey, Director of Planning and Inspections began discussion on this case. Mr. Bailey said this hearing was not required but the Council Members asked for this public hearing session on the Wellness District Small Area Plan to provide another opportunity to gather more public input on it. Mr. Bailey noted that this process began in 2011 to develop the proposed Wellness District Small Area Plan. Mr. Bailey said that property owner notification letters were sent out to notify them of this particular hearing for this case. Mr. Bailey said the Council Members had asked Staff to create a comparison between the current zoning ordinance and the proposed zoning ordinance in the proposed Wellness District area.

Mr. Bailey handed out the six-page comparison document (see permanently attached) which covered maximum building height, building setbacks, building siting, landscaping, development example of OI compared to WD. Mr. Bailey briefly went over the information in this handout and answered questions on it. Mr. Bailey said upon approval of this proposed Wellness District Small Area Plan, there will be regulations created to support the plan. Mr. Bailey noted that there is more detail on the small area plan in the draft Wellness District Small Area Plan dated August 2015 found in the hearing packet.

Planning Commission Member Templeton asked a question about setbacks as they relate to amenity and landscape requirements. Mr. Bailey answered the question based on the information on page 11 or 13 of the proposed draft Wellness District Small Area dated August 2015. Mr. Bailey explained that in the proposed plan; we are trying to create a pedestrian-friendly environment with sidewalk connectivity from building to building with intense landscape buffers.

Discussion ensued on zero-setbacks. Mr. Bailey agreed that there will not be 100 percent lot coverage on any lot in the proposed district. Mr. Bailey pointed out that when two buildings are built back to back, there is the ability to share a parking lot.

Discussion ensued on percentage requirements for landscaping. Mr. Bailey noted that wherever there is not hard surface, there will be landscaping.

Discussion ensued on floor area ratios and building foot prints.

Discussion ensued on controlling floor height.

Discussion ensued on percentage of tree canopy and buffer requirements.

Planning Commission Member Templeton asked a question about buffer requirements, when two different lots are developed at two different times. Mr. Bailey explained the percentage of tree canopy needed in this situation.

Mr. Bailey pointed out on page 21 of the Wellness District Small Area Plan draft the yellow highlights indicate the proposed Middle Fork Greenway and two parcels at the bottom right hand side of the map have been removed from the proposed district.

Mr. Bailey noted that all the feedback from the public hearings, workshops, Council and Planning Commission have been added to the draft proposed small area plan. Mr. Bailey noted that the draft August 2015, Wellness District Small Area Plan is on the Town website.

Mayor Pro-Tem Brantz asked if the Council or Planning Commission had any questions on the draft Wellness District Small Area Plan.

Mayor Pro-Tem Brantz opened the floor to public speakers.

Dr. Larry Stigall the owner of the property located at 240 Doctors Drive came to the podium. Dr. Stigall showed a concern for potential restrictions for parking and landscaping that the proposed small area plan might place on his small parcel of land, if he wanted to re-develop it. Mr. Bailey explained that the proposed small area plan places less restrictions on re-development than the current ordinance. Mr. Bailey pointed out that the parking requirements will be less, if a parking deck is built. Mr. Bailey further explained that the parking deck would be used by employees and would leave parking spaces available for patients near the medical offices. Dr. Stigall said that he had not read the draft Wellness District Small Area Plan. Dr. Stigall said he would review the Wellness District Small Area Plan draft dated August 2015 on the Town website. Mr. Bailey gave Mr. Stigall a copy of the Wellness District Small Area Plan comparison that was presented at this meeting. Mr. Bailey encouraged Dr. Stigall to contact him to discuss it.

It was noted that Dr. Stigall's office building was built in the 1960's prior to any zoning ordinance.

Mr. Bailey explained how the proposed Wellness District was chosen for the development of a small area plan.

Mr. J.B. Lawrence whom was representing a property owner in the proposed district came to the podium. Mr. Lawrence asked if a daycare was a permitted use. Mr. Bailey referred to page five, figure 2: Wellness District Permitted Use 10.0 Daycare which shows that this use is permitted in the proposed district. Mr. Lawrence said he would review the online draft Wellness District Small Area Plan.

Mr. Bailey said that he would request that the Wellness District Small Area Plan comparison handout be placed on the Town Website.

Vice-Chairperson Simmons commented on the GIS study that was created by Staff that and presented to the Planning Commission. The study contained information on the buildings in the proposed district.

Council Member David encouraged medical staff to meet with Town staff to discuss the combining of the zoning districts into one use. He further explained the benefits of having residential, business and university uses together in the proposed district. He talked about some of the older buildings being considered for re-development to better serve the Wellness community in the future.

Council Member Mason noted that current uses are not required to comply with the proposed small area plan, it is for new development and re-development.

Mr. Bailey said the liability and insurance structures are changing requiring faster accessibility to the hospital in certain instances. He talked about medical buildings being built farther away from the hospital. He talked about the information he has gathered from other patients that he has talked to regarding their medical experiences.

Mayor Pro-Tem Brantz closed the public hearing for this case.

CASE 20150028 CONDITIONAL DISTRICT PLANNED DEVELOPMENT – TEXT AMENDMENT

Mr. Bailey reviewed the request for this case as outlined in the meeting packet.

Mr. Bailey said the Staff proposed a free floating zoning district that is individualized to each project with a site specific development plan. Mr. Bailey gave an example to explain how this type of conditional district would work.

Council Member David said it is good to allow for more flexibility on how we negotiate some of the larger projects and to reduce zoning issues.

Mr. Bailey pointed out some explanations on page three of the staff report in Section 9.11 Planned Development Conditional Districts (PD). Mr. Bailey added that this is a tool to be used for larger mixed-use projects and to reduce the need for variances on a project.

Mayor Pro-Tem Brantz asked a question on page two, Section 9.09.04 A regarding the 12-month delay on approval to amendments and is there a reason for it to be repeated several places in the text. Mr. Bailey noted that this is existing text and gave an example of different projects and their minor and major project changes.

Planning Commission Member Templeton talked about underlying issues like rock and water and how these issues can change the way that a project is developed causing a project to sit idle for 12 months. Mr. Bailey said this is existing text and the Staff is not proposing a change to it at this time. Mayor Pro-Tem Brantz said this topic could be discussed at a future date.

Mayor Pro-Tem Brantz opened the floor for questions from the Council or Planning Commission.

Planning Commission Member Bolick clarified that 9.09.04 A is in the existing text. Mr. Bailey said yes.

Ms. Cathy LaMarre came to the podium. Ms. LaMarre came to this hearing to represent people trying to protect their neighborhoods. Ms. LaMarre said that she felt that the proposed text amendment change would hurt people like herself that are trying to protect their neighborhoods. Ms. LaMarre showed concern for Section 9.11.05, A, 1, a and e. She said she felt that ten days

prior to a meeting is not enough notice for property owners. She also felt that a mediator from the Town should be at the neighborhood meetings.

Council Member Mason clarified that the ten-day notice is for meeting with a developer and not for a presentation to Council and it also facilitates better communication.

Mr. Bailey explained the process of the developer meeting with the Staff and the mitigating of negative impacts.

Council Member David said that this proposed text adds a layer of communication between the Council and the developer in the beginning of the project planning.

Ms. Allison Meade, Town Attorney explained that this proposed change allows for more flexibility.

Council Member David asked about the existing meeting notice for normal zoning procedures in the Unified Development Ordinance. Mr. Bailey said it is a minimum of 10 days and a maximum of 25 days.

Council Member Mason asked Mr. Bailey about the public hearing process for the proposed Conditional Planned Development District. Mr. Bailey explained that it is exactly the same process.

Council Member Mason asked for clarification on different standards for 9.11.02 and 9.11.03. Mr. Bailey explained the difference in standards for the two sections.

Mr. Bailey explained Section 9.11.03 B found on page three of the staff report. Ms. Jane Shook, Planning Supervisor said in the past the Council was alright with 9.11.03 A and C but they had concerns on 9.11.03 B. Ms. Shook explained the concerns.

Discussion ensued on limiting commercial uses and promoting mixed uses.

Council Member David gave an example of the development of a hard to develop piece of property. Mr. Bailey explained the process for this type of situation.
Planning Commission Vice-Chairperson Simmons asked if the proposed text amendment change will help the developing of the shallow lots alongside Highway 421 widening project. Mr. Bailey said, it would not help to develop these properties.

Planning Commission Vice-Chairperson Simmons said the proposed text amendment does open up the lines of communication for larger projects. Mr. Bailey agreed that the proposed change is geared to help larger more complex projects.

Ms. Cathy LaMarre pointed out that you can apply to intervene at the Board of Adjustment meeting and you cannot do this at a Council meeting.

Mr. Bailey talked about the proposed text amendment mandating that the developer talk to the neighborhoods first before they come to the Town meetings to discuss a development project.

Council Member Mason pointed out with the proposed text amendment changes that when the neighbors come before Council, they have more opportunity to share information on their concerns of the proposed project.

Mayor Pro-Tem Brantz closed the public hearing for this case.

ADJOURNMENT

Mayor-Pro Tem Brantz adjourned the hearing at 7:10 p.m.

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Mayor Pro-Tem, Rennie Brantz **Board Secretary, Marlene Crosby**

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Planning Commission-Vice-Chairperson, Greg Simmons