MINUTES - SPECIAL MEETING
BOONE TOWN COUNCIL
SEPTEMBER 4, 2007

A special meeting of the Boone Town Council was called to order at 5:10 p.m., Tuesday, September 4, 2007, in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council members present were Bunk Spann, Dempsey Wilcox, Lynne Mason, and Rennie Brantz. Staff members present were Greg Young-Town Manager, Kimberly Tester-Deputy Town Clerk, Bill Post-Police Chief, Blake Brown-Public Services Director, Rick Miller-Utilities & Engineering Director, John Spear-Development Services Director, Ricky Hurley-Planning Supervisor, and Sam Furgiuele-Town Attorney. Representatives of Appalachian State University present were Chancellor Ken Peacock, Dr. Loren Baumhover-Chief of Staff, Dayton Cole-University Attorney, Greg Lovins-Interim Chancellor for Business Affairs, Cindy Wallace-Vice-Chancellor for Student Development, and Jim Deal-Chairman of the ASU Board of Trustees.

DISCUSSION AND REVIEW OF U-1 PLANNING RECOMMENDATIONS

Mayor Clawson welcomed all in attendance and congratulated the ASU representatives on the ASU Football Team's season-opening victory over the Michigan Wolverines during the past weekend. She invited comments from Chancellor Peacock. Chancellor Peacock expressed his appreciation for the opportunity to meet with the Boone Town Council and staff to discuss the need for cooperation and communication between the two entities in regard to planning for future growth and other issues that affect the community. Mayor Clawson asked Development Services Director John Spear to present the proposed U-1 recommendations drafted by the staff **(Exhibit A, attached)**. Mr. Spear stated the drafting of these recommendations is the result of concerns voiced by ASU officials during the annual Town Council Retreat in February 2007. He further noted that the draft proposal was created with the goal of ensuring that ASU growth occurs in a manner consistent with the long-range planning goals of both the Town of Boone and ASU. Chairman of the Board of Trustees Jim Deal stated he welcomes discussion between Town and ASU officials in an attempt to arrive at a compromise that would meet the needs of both entities. He pointed out that differences in opinion will occasionally arise between the Town and ASU on various issues and that the use of a third party as mediator may be helpful in resolving such differences. Mr. Deal stated that he agrees with the Town's view on several issues, such as the importance of planting trees and creating greenspace; however, he does not feel the Town should mandate requirements without allowing for flexibility on issues, such as parking requirements and permitting University land use only in the University District. Mr. Deal stated that the fact of increased growth at ASU is inevitable and having to rezone property to allow for university development is limiting. He further stated that the University is not interested in growing in the downtown area. Council Member Mason stated that a joint approach to long-range planning between the University and the Town is long overdue. She stated that she is a proponent of planning and that the Town has a good record of granting rezoning requests for the University. In regard to parking and traffic concerns, Council Member Mason stated she would like to see creative alternatives to the use of automobiles as an approach to alleviating parking and traffic issues. She also pointed out that the downtown area does offer adequate parking but that spaces for patronage are in competition during daytime hours with student use. Council Member Mason voiced the desire to see a collaborative effort from both entities on a joint master plan. Council Member Spann echoed Council Member Mason's sentiments and suggested that the Town and University begin discussion of those issues that are agreed upon. He agreed with the suggestion of using a third-party mediator to help to develop a joint master plan and to resolve the issues on which the Town and University do not agree. Council Member Wilcox pointed out that when the University is required to meet onerous regulations for development, much of the cost is absorbed by students through increased tuition and fees. Furthermore, he pointed out that according to the 1990 Census, of the total 12,500 town citizens, 8000 were college students. Council Member Wilcox stated that regulations prohibiting university uses unless specifically zoned for such use are unduly burdensome. He stated that the University should not have to apply for a rezoning or conditional use permit to rent offices when space needs arise. University Attorney Dayton Cole agreed that both entities have much to gain by working together. He stated that he has contacted the University of North Carolina School of Government to request assistance in mediating these issues. Chancellor Peacock stated that the University is open to working with an objective third party in order to resolve these issues. He pointed out that the University is governed by other entities, such as the University of North

Carolina Board of Governors; Erskine Bowles, president of the University of North Carolina system; and the North Carolina legislature. Cindy Wallace, Vice-Chancellor for Student Affairs, stated that university students are a vital part of the economy of Boone by serving with non-profit agencies and by working in local jobs while in school. She pointed out that the traffic congestion is constant even when most of the student population is not in town and suggested that a traffic study be performed to determine the cause of Boone's traffic problem. Council Member Brantz agreed with the need to move forward on working out issues between both entities. He reiterated the importance of a cooperative relationship between the Town and University and the valuable contributions each make to the community. In regard to stormwater management, Chairman Deal stated that the University is agreeable to a stormwater management plan that is reasonable and not unduly burdensome. He also agreed that results from the Town's Smart Growth Audit should be included in the consideration of the long-term planning needs for the Town and University. Council Member Mason informed the group that the Town is in the preliminary stages of developing a stormwater management plan and that this would be an opportune time to collaborate with the University on stormwater issues. She indicated a need to plan for housing needs to reduce traffic congestion and to increase the availability of affordable housing. Members of the Town Council and ASU officials discussed the need for student housing, affordable housing for University staff and faculty, and a new residence hall to house the increasing number of freshmen who are required to live on-campus. After discussion, a sub-committee was formed to begin the study of the following issues on which the Town and University both agree:

- University land use permitted by right within the University District.
- Consideration of University campus land as a whole for the purpose of calculating land use intensity.
- Building height requirements.
- Installation of street trees.

Members of the sub-committee are Town Manager Greg Young, Town Attorney Sam Furgiuele, Development Services Director John Spear, Dr. Loren Baumhover, University Attorney Dayton Cole, and Interim Chancellor for Business Affairs Greg Lovin. Upon the completion of the deliberation of these issues, the sub-committee will report back to the entire group. Furthermore, the following proposed regulations, as listed on Exhibit A, and any other issues of concern will be studied by the group with the help of a third-party mediator:

- University land use will only be permitted within the University District
- Setbacks - Street: Apply only to Town-maintained streets; 10'
  Setbacks - Interior (sides and rear of property): Equal to the required setback in adjoining district (ranges from 13' to 17')
- Parking-New development in the U-1 district shall provide parking or have demonstrated access to a sufficient number of existing spaces to accommodate the needs of the new development
- Storm Water Management-New development in the U-1 district shall provide storm drainage facilities designed to limit the discharge to existing rates (no volume or velocity increase)
- Buffer-New development in the U-1 district shall provide a 10' landscape buffer adjacent to non-university property.

Consideration of these issues will commence once the results of the Town of Boone Smart Growth Audit are available, tentatively in December 2007. The group also agreed to begin discussion and collaboration on the creation of a joint master plan.

OTHER MATTERS FOR CONSIDERATION BY COUNCIL

Town Manager Greg Young informed the Mayor and Council of the possibility of implementing Stage II Water Shortage Conditions. He stated that Public Utilities Director Rick Miller is carefully monitoring the situation but weather forecasts are indicating a lack of significant rainfall for the upcoming week. Mr. Young asked the Council to grant authority to the Town Manager to implement Stage II Water Shortage Conditions upon the recommendation of the Utility Director and after consultation with the Mayor so that a special or emergency meeting of the Council would not need to be held. Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to grant authority to Town Manager Greg Young to

enact Stage II Water Shortage Conditions upon recommendation from Public Utilities Director Rick Miller and after consultation with Mayor Clawson, if it becomes necessary.

VOTE: Aye - All
Nay - None

ADJOURNMENT

With no further discussion, Mayor Clawson adjourned the meeting at 6:44 p.m.

Deputy Town Clerk		Mayor