

**BOONE TOWN COUNCIL
SPRING QUARTER PUBLIC HEARING ON
ZONING AMENDMENTS
MAY 10, 2007**

Town Council members in attendance: Mayor Clawson, Dempsey Wilcox, Rennie Brantz, Janet Pepin and Lynne Mason

Planning Commission members in attendance: Vice-Chairperson Mary Ruth McRae, Eric Woolridge and Charlie Weaver

Planning Staff in attendance: John Spear-Director of Development Services and Marlene Crosby- Administrative Support Assistant

Others in attendance: Greg Young, Town Manager

Mayor Clawson called the meeting to order at 7:07.p.m. She asked Mr. John Spear, Director of Development Services to present the first case.

Case 20070168 Neighborhood Parks

The Boone Town Council is requesting a zoning text amendment that would create a new land use classification for Town owned neighborhood parks, playgrounds, pocket parks and similar passive outdoor recreation space.

Mr. Spear presented this case as outlined in the meeting packet.

Mayor Clawson opened the floor for questions or comments. Council Member Mason stated that she had one concern regarding the inclusion of playgrounds due to problems in several of the parks. She suggested that input from the neighbors should be gathered and reviewed. She said that if it is only a pocket park or passive in nature, she thinks the text as it is currently written covers the subject. She is concerned about the playgrounds and should also receive neighbor input. Vice-Chairperson Mary Ruth McRae stated that she agrees completely with Council Member Mason. However, there are safety issues with the playground equipment, the covering of the sandboxes and maintaining the mulch. There was discussion regarding the neighborhood advantages and restrictions and limitations of creating a park. Discussion ensued on how this particular case was advertised to the public or how does the neighbors of a proposed park become aware that a park might go in next door to them and who is responsible for them. Vice-Chairperson McRae said this subject should be an addressed as a neighborhood planning item.

The first speaker was Rebecca Kaenzig she spoke about the problems that she is experiencing living next door to the Boone Jaycee Park. She mentioned the loudness of the swings and voices after dark. Discussion ensued on solutions to these problems. Ms. Kaenzig said that she had been in consultation with Mr. Blake Brown, Director of Public Works regarding the lights shining from the park onto her house. Discussion ensued on the types of problems encountered in park designs for purely passive recreation versus a park containing playground equipment.

Mayor Clawson closed this case.

Case 20070185 Watauga County Conditional B-1 Zoning

Watauga County is requesting Conditional Central Business District (CDB-1) zoning approval to permit conversion of the old Watauga County Law Enforcement Center property to a surface parking lot. This project is located on the northwest corner of the intersection of Water Street and Queen Street.

Mr. Spear presented this case as outlined in the meeting packet.

Mayor Clawson opened the floor for questions or comments. Commissioner Woolridge

asked several questions on storm water measures and the sidewalk between the green space and the curb and gutter on Water Street. Commissioner Woolridge noted that this project is a good opportunity to make a storm water LID demonstration project such as a rain garden by the Agricultural Extension.

Mr. Bill Dixon, Architect for Appalachian Architecture gave a brief presentation. He started his presentation by saying that they began their work by trying to use the existing jail footprint because it was cheaper to tear down the old jail two-level building than to renovate it. Mr. Dixon said that he can incorporate the green space between the curb and gutter and sidewalk. This change would make it safer for children using the sidewalk. Mr. Dixon was open to looking into the storm water management suggestion. Discussion ensued on who will be using the proposed parking lot. There will be two handicap equipped spots in this proposed parking lot. Discussion ensued on visibility issues on Gragg Street.

The first speaker was Robert Bowman a federal postal employee who lives at 227 Water Street. He works in this area with his job as a postman. He has noticed driver confusion because of the divided street at the intersection of Depot Street and Queen Street. He suggested making this intersection a four-way stop because of the congestion. He suggested having no left turn onto Water Street from the parking lot. If the drivers need to go up to Junaluska Road, they can always turn right on Queen Street to Junaluska Road. He would like to see a larger culvert go in to reduce the potential for clogging when it rains.

The second speaker was Ed Migett and he lives directly across the street from the proposed parking lot. He mentioned that he is concerned about the landscaping before the sidewalk, the high speed of traveling cars and the site lighting. He suggested a speed bump being added in front of his house as a safety measure for small children in the neighborhood. Council Member Pepin asked Mr. Migett if he has spoken with other people who live near speed bumps because they make additional noise that can be annoying. He had not. He supports the four-way stop suggestion and the no left turn onto Water Street. He mentioned personal parking issues and would like to see public use of the proposed parking facilities during off hours and weekends. He mentioned that the signs around the Queen Street area are incorrect and need to be corrected to state when the parking is metered.

Mayor Clawson closed the case.

CASE 20070186 Sidewalks

The Boone Transportation Committee is requesting a zoning text amendment that would require sidewalk installation along public streets for new commercial and residential major subdivision projects.

Mr. Spear presented this case as outlined in the meeting packet.

Mayor Clawson opened the floor for questions or comments. Council Member Brantz had a question on the planter strip near the curb. Mr. Spear said that he did not believe the ordinance would prohibit green space between the sidewalk and curb as long as the NCDOT standards were met. Vice-Chairperson Mary Ruth McRae explained past difficulties with provision of sidewalks in Boone. The explanation began with steep terrain and best practice to minimize grading along road right of ways. Extra grading is needed for steeper terrain. She stated that a sidewalk fund is a good idea for the future building of sidewalks. Mr. Spear said that a fee in lieu as discussed extensively by the Transportation Committee and rejected as an option due to fund record keeping issues, rising costs of construction, and the labor and materials involved in the installation of sidewalks. Council Member Wilcox mentioned that an exemption for situations where the topography would hinder sidewalk installation may resolve the issue. Council Member Pepin asked if sidewalks could be located in the middle of nowhere? Mr. Spear said yes this is possible but not very likely. Under the proposed language, these sidewalks are only required where there is already frontage along an existing public street. Discussion ensued on Town versus NCDOT street right of ways within Boone's jurisdiction.

Mayor Clawson closed this case.

CASE 20070188 Mixed Use Zoning Districts

The Town of Boone is requesting a zoning text amendment that would create three new Mixed Use zoning districts and eliminate outdated Planned Unit Development zoning districts.

Mr. Spear presented this case as outlined in the meeting packet

Mayor Clawson opened the floor for questions or comments. Council Member Mason asked if the land uses and development had to comply with the underlying zoning districts. Mr. Spear said yes. Discussion ensued on the three types of zoning in the proposed mixed use districts. If adopted, this amendment would create optional zoning districts with built-in incentives to develop mixed use projects. The approval process would follow the existing process and procedures for conditional zoning district approval. Discussion ensued on the proposed height bonuses in the B-1 and B-3 zoning districts. Council Member Mason mentioned her concern of keeping harmony in the downtown business district in regards to building heights. She noted that she is uncomfortable with the 25 percent increase in height in the B-1 district.

Mayor Clawson closed this case.

Other Matters by Board Members or Staff

Case 20070072 – Multi-Family Uses in the B-1 District. This case was tabled at the April 19, 2007 Town Council meeting to allow further discussion regarding appearance.

Mr. Spear noted that this proposal requires commercial use on the lowest occupied level of new multi-family projects in the B-1 district. Council Member Wilcox noted that the appearance of parking decks would not be affected one way or the other by adoption of this ordinance. Council Member Mason suggested asking the Community Appearance Commission to evaluate the appearance of parking deck standards across the Town's jurisdiction.

Council Member Mason made the first motion saying that this application is consistent with all the objectives and policies for growth and development contained in the 2006 Comprehensive Plan.

Council Member Brantz seconded the motion.

Vote:

**Aye – All
Nay – None**

The vote was unanimous.

Council Member Mason made a second motion that the Town Council finds that this application is both reasonable and in the public interest for the following reasons. The issues related to conformity to the 2006 Comprehensive Plan Section [2.15] downtown which supports a variety of mutually compatible and supported mixed uses in the downtown area.

Council Member Brantz seconded the motion.

Vote:

**Aye – All
Nay – None**

The vote was unanimous.

Council Member Mason made third motion for this application to be approved with the

understanding that the Town Council will refer the parking issue back to the Community Appearance Commission.

Council Member Brantz seconded the motion

Vote:

Aye – All
Nay – None

The vote was unanimous.

Mr. Spear announced that there is a handout for the Town Council and the Planning Board members.

Adjournment:

With no other speakers signed up to speak, Mayor Clawson adjourned the meeting at 7:30 p.m.

Loretta Clawson, Mayor

Marlene Crosby, Board Secretary