

Boone Town Council & Boone Planning Commission
Meeting Minutes
Thursday, April 22, 2010
6:30 p.m.

Town Council Members in Attendance: Mayor Loretta Clawson, Mayor Pro Tem Mason, Jamie Leigh, Andy Ball, Rennie Brantz, and Stephen Phillips

Planning Commission Members in Attendance: Chairman Bunk Spann, Greg Simmons, Donald Dotson, Robert Cherry, Eric Woolridge, Jay Vincent, Brett Scantlin, Tom Purpur, and Terence Milstead

Planning Staff in Attendance: Bill Bailey- Director of Development Services and Brenda Henson-Board Secretary

Others in Attendance: Kimberly Marland, Sam Furgiuele, Greg Young, Rich Crepeau, Jason Gaston, and Alan Crees

CALL TO ORDER:

Mayor Clawson called the meeting to order at 6:37 p.m. and noted that the agenda for this meeting was adopted at the last Town Council meeting.

DISCUSSION OF DENSITY RECOMMENDATIONS

Mr. Bailey opened by stating that a presentation would be made by the Density Subcommittee of their recommendations and turned the meeting over to Eric Woolridge, member of the Density Subcommittee. Committee Member Woolridge introduced the other members of the Subcommittee, Kimberly Marland and Greg Simmons. A handout was given to those present entitled "Density Subcommittee Proposal" (**permanently on file in the office of the Clerk**).

Committee Member Woolridge explained that the group proposed to change the Maximum Floor Area Ratio to a Maximum Building Footprint. It was felt that this would encourage greater density and infill development where appropriate, facilitate site design and building form in accordance with Smart Growth principles, encourage mixed-use development, reduce sprawl, and increase walkability.

Committee Member Woolridge stated that the group is proposing two-story development in the B-1 and B-2 zoning districts with a zero foot setback. The zero foot setback would allow buildings to be built up to the street yard with parking in the rear and on the side. There was discussion of how the requirement of two stories and allowing zero setbacks would affect historic structures. Council Member Leigh questioned if one-story buildings could get insurance to rebuild as two-story buildings. Mayor Pro Tem Mason felt that historic structures, renovations, and re-development projects were issues that would need to be further addressed. Town Council was in agreement that the general concept was appealing. Commission Chairman Spann stated that Town Council may want to consider looking at properties zoned B-2 to determine if they are appropriately zoned.

Committee Member Woolridge explained that the group is proposing a reduction of the 20' setback in the B-3 zoning district to 10'. Council Member Leigh noted that multi-family projects are allowed in the B-3 zoning districts and expressed concern about allowing two apartment buildings to be only 10' apart. Mr. Bailey explained that fire code and building height dictate that amount of separation between apartment buildings. There was discussion regarding setbacks and buffer requirements with concern about adequate buffering between zoning districts. Mr. Furgiuele noted that the current Table of Permitted Uses should be reviewed.

Mayor Clawson recessed the meeting at 8:10 p.m. and reconvened at 8:20 p.m.

Alan Crees explained that there is a 35' height restriction for buildings that are located within 100' of an R-1 zoned property. An example was given of a re-development project meeting the new density requirements. Commission Member Vincent noted the difficulty and expense of putting power lines underground. Parking requirements and stormwater run-off were discussed.

Commission Chairman Spann stated that the Density Subcommittee has presented their recommendations to the Planning Commission and have they approved the proposal.

Mayor Clawson thanked the Density Subcommittee for their work on the proposal and presentation and adjourned the Planning Commission from the meeting at 9:13 p.m. At this time, Town Council entered into discussion regarding possible action on text amendments.

Mr. Furgiuele started by addressing Electronic and Internet Gaming Uses (**permanently on file in the office of the Clerk**). He noted that, although these types of businesses are legal in the state of North Carolina, they can attract undesirable activity and crime. Mr. Furgiuele stated there are currently three such businesses located in town. Only one of those is operating legally, while the other two have not obtained zoning permits. Council Member Phillips made a motion to send the proposed Electronic and Internet Gaming Uses ordinance change to public hearing. Mr. Bailey stated that Town Council had already set a date of May 5, 2010 at 10:00 a.m. for this public hearing. The motion was seconded by Council Member Leigh.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Mr. Furgiuele then addressed Multi-Family Residential Uses in Business Districts (**permanently on file in the office of the Clerk**). He gave a brief overview of the proposed text as shown in the handout. After some discussion regarding building

setbacks, it was felt that conflicts with the location of existing utilities should be included in the text as an exception to the requirements. Mayor Pro Tem Mason questioned arterial and collector roads and what the difference is between the two.

Mayor Clawson announced that she needed to leave and Council Member Leigh made a motion to allow her to leave the meeting at 9:58 p.m. The motion was seconded by Council Member Ball.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

After further discussion, Council Member Brantz made a motion to send the proposed Multi-Family Residential Uses in Business Districts text to the May 5, 2010 public hearing with additions to the language to include concessions for existing utility locations with regards to street setback requirements and to change the wording throughout the text from ground level to street level. The motion was seconded by Council Member Leigh.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

ADJOURNMENT

With no further business, Council Member Phillips made a motion to adjourn the meeting at 10:29 p.m. The motion was seconded by Council Member Leigh.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Loretta Clawson, Mayor

Brenda Henson, Board Secretary