Town of Boone
Town Council/Planning Commission Public Hearing
6:00 PM, May 19, 2025
Town Council Chambers
1500 Blowing Rock Rd.

The public may attend the meeting in person at Town Council Chambers at 1500 Blowing Rock Road or online via WebEx, a video conferencing software.

Public Comment: To give public comment, you should appear in person at the physical location of this meeting. Persons who attend the meeting remotely via WebEx may be permitted to speak during public comment but are not assured of that opportunity.

WebEx Participation: To join online or by phone, email Planning and Inspections at planning@townofboone.net or call 828-268-6960, and you will receive an email invitation. Requests must be submitted no later than one hour before the meeting begins.

I. Call to Order of Town Council and Planning Commission

II. Moment of Silence

III. Approval of Meeting Minutes

1. March 24, 2025, Public Hearing/Planning Commission Meeting Minutes

PUBLIC HEARING
A. Presentation of Case by Staff/Applicant
B. Discussion/Questions by Town Council and Planning Commission
C. Public Comment
D. Discussion/Questions by Town Council and Planning Commission

IV. Case A25-0115 Jeremiah's Ice - Conditional District Zoning Map Amendment

1. Case A25-0115 Exhibit 1: Staff Report
2. Case A25-0115 Exhibit 2: Neighborhood Meeting Info
3. Case A25-0115 Exhibit 3: Revised Site Plan
4. Case A25-0115 Exhibit 4: Use Description
5. Case A25-0115 Exhibit 5: Traffic Flow
6. Case A25-0115 Exhibit 6: Traffic Analysis Response

V. Case A25-0118 The Summit Pickleball - Conditional District Zoning Map Amendment

1. Case A25-0118 Exhibit 1: Staff Report

2. Case A25-0118 Exhibit 2: Project Narrative
3. Case A25-0118 Exhibit 3: Site Plan
4. Case A25-0118 Exhibit 4: Neighborhood Meeting
5. Case A25-0118 Exhibit 5: Deeds
6. Case A25-0118 Exhibit 6: Survey
7. Case A25-0118 Exhibit 7: Parking Detail

VI. Adjournment of Town Council

PLANNING COMMISSION

VII. Discussion of Case(s) Heard at the Public Hearing

VIII. Other Matters

IX. Adjournment

TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING AND PLANNING COMMISSION MEETING MINUTES
MONDAY, MARCH 24, 2025, 6:00 PM
1500 BLOWING ROCK ROAD AND VIA WEBEX SOFTWARE

COUNCIL MEMBERS PRESENT: Mayor Tim Futrelle, Todd Carter, Eric Plaag, Virginia Roseman (via WebEx at 6:30 p.m.), and Edie Tugman

COUNCIL MEMBERS ABSENT: Mayor Pro Tem Dalton George

PLANNING COMMISSION MEMBERS PRESENT: Adrian Tait-Chair, Frank Veno-Vice-Chair, Chris Behrend, Garrett Kight, and Anne Pruitt

PLANNING STAFF PRESENT: Brandon Wise-Deputy Director of Planning & Inspections, Amy Snider-Commercial Zoning Administrator, Christy Turner-Residential/Sign Zoning Administrator, and Brenda Henson-Board Clerk

---

Call to Order

Mayor Futrelle called the Town Council to order at 6:06 p.m. Chair Tait called the Planning Commission to order at the same time. The meeting was held in the Town Council Chambers at 1500 Blowing Rock Road and via WebEx.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Council Member Plaag moved to approve the February 24, 2025, Public Hearing minutes as written. Council Member Tugman seconded the motion.

Vote: Aye – 3
Nay – 0
Absent – 2 (George, Roseman)

The motion passed.

Commission Member Behrend moved to approve the February 24, 2025, Public Hearing and Planning Commission meeting minutes as written. Commission Member Pruitt seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

PUBLIC HEARING

Brandon Wise, Deputy Director of Planning & Inspections, explained that, due to a possible invoicing scam, applications for the cases were not included in the meeting packet to help protect personal information.

Case A25-0105 The View Apartments – Conditional District Zoning Map Amendment

Charlotte Lindemanis has submitted a Conditional District Zoning Map Amendment application to rezone 381 Meadowview Drive from B3 General Business to Conditional District R3 Multiple-Family Residential with a site-specific plan for use 1.11 Multi-Family Dwelling (up to 30 bedrooms).

DRAFT

Amy Snider, Commercial Zoning Administrator, introduced the case.

The applicant, Charlotte Lindemanis, stated she would like to rezone the former Maggie Sparks dermatology office from B3 General Business to R3 Multiple-Family. Ms. Lindemanis noted that she was from Charlotte, attended school in Chapel Hill, had family in Blowing Rock and Boone, and her sister attended App State. She stated that she had seen the devastation caused by Hurricane Helene and wanted to help rebuild and beautify the neighborhood.

Ms. Lindemanis relayed her intention to convert the building into five apartments with a total of 10 bedrooms. She stated that she had no plans to modify the exterior except to install a carport and bike rack, as required by the multi-family ordinance. The units would feature high-end finishes, including stone countertops, dishwashers, garbage disposals, soft-close cabinets, stainless steel appliances, modern bathrooms, and hard-surface floors.

Ms. Lindemanis stated that R3 zoning required them to have .7 parking spaces per bed, which would be a total of seven spaces for this development. She noted that the lot needed to be restriped and would yield 18 to 24 spaces. Ms. Lindemanis estimated construction would take three to four months, with Matt Long serving as the general contractor. She stated that there would be a mix of floor plans, including two studio apartments, one 2BR/1BA unit, and two 3BR/2BA units. Ms. Lindemanis added that she planned to manage the property as a local owner or use a local property management company.

Ms. Lindemanis stated that the green space would preserved as a livability space, and she planned to add an outdoor table and a bike rack that would include both short-term and long-term bicycle parking. She noted that the street yard met ordinance requirements, but there was some foliage in the back that might need to be replaced in the spring.

Ms. Lindemanis stated that she was purchasing the property from Maggie Sparks, and Dr. Sparks had provided authorization for her to go through the rezoning process. She noted that she had met with staff, sent out neighborhood notification letters, and conducted the neighborhood meeting in January. There were three attendees, and all of them voiced support for the project. Ms. Lindemanis stated she had also received several emails, one of which she provided a copy of to Council and Commission members. She noted that she had met with the building inspector, who had preliminarily confirmed that her plans met the North Carolina building code. Ms. Lindemanis stated that she had spoken with individuals from Public Works regarding the water and sewage requirements for converting from B3 to R3, and they informed her that, due to the number of practitioners in Maggie Sparks' office, there would be no net change in water and sewage usage. She explained that the usage allowance was 250 gallons per practitioner, and there were three practitioners in total. Multi-family was allocated 75 gallons of water per bed, and they had ten beds. Both scenarios equaled 750 gallons. Ms. Lindemanis noted that they would have to meter each apartment individually, resulting in additional costs.

Ms. Lindemanis stated that no one type of layout comprised more than 50% of the unit. Each unit that had more than two bedrooms would have a designated master bedroom that was at least 144 square feet, with the other bedrooms being 25% smaller. She added that occupancy of each unit would be limited to two unrelated persons. Ms. Lindemanis noted that there would be adequate storage for each unit, with additional storage on the second floor for the studio apartments, accessible by a drop-down, fire-rated ladder.

Ms. Lindemanis stated that she did not plan to add or remove any asphalt, noting that the existing parking lot met the minimum number of required spaces for the number of beds. After striping the lot, there would be 18-24 spaces, which would provide extra parking for visitors.

DRAFT

Ms. Lindemanis read an email from Linda Byrd of 404 Meadowview Drive, voicing her support of the proposed project.

Ms. Lindemanis noted that the building did not flood during Hurricane Helene. She explained that a lot of dirt was brought in to elevate the building during its construction. Water penetrated a large crawl space but did not penetrate the finished floor, so there was no damage to the interior. Ms. Lindemanis stated that the building was 1' .84" above the base flood elevation. Based on their projected project cost, they would not be required to elevate the building two foot above the base flood elevation.

Council Member Plaag asked Ms. Lindemanis if she was in town during Hurricane Helene and if she inspected the property afterward. Ms. Lindemanis replied that she came to town soon after Helene to inspect the property, and Mr. Long had also inspected it. She stated that there was no water damage to the subfloor, but because there was flooding in the crawl space, Dr. Sparks was required to remove two feet of drywall to dry any moisture that might have entered the walls.

Council Member Plaag presented photos taken a few days after Hurricane Helene, noting debris on top of the HVAC units, the deck, and electrical boxes on the side of the building, as well as mud in the lobby. He stated that there had been at least two fuel oil spills in that neighborhood and urged Ms. Lindemanis to conduct her due diligence when converting this property to a residential area. Council Member Plaag noted that he had been advocating for signage since Helene, not only on public streets but also on private property, to inform residents that they were living in a flood area. He asked Ms. Lindemanis if she would be willing, as a condition of approval, to install signage that informed people when they entered the parking lot that they were entering a 100-year flood zone. Ms. Lindemanis agreed to the condition.

Ms. Lindemanis stated that 25% of the units were required to have a carport, so one carport would need to be installed. The carport would be structurally integrated into the building and match the color and aesthetics of the existing building.

Council Member Carter asked if any exterior entrances would be added. Ms. Landemanis replied that one new entrance door would be added on the right side of the building.

Council Member Plaag asked if any non-conformities, other than the setback, would be created by the zoning change. Ms. Snider replied that it would not. Council Member Plaag asked what "on-site" property management meant. Mr. Wise explained that a local management company could act as the "on-site" property manager, providing an emergency and after-hours contact number.

Council Member Plaag noted that apartments were typically marketed to students. He asked Ms. Lindemanis if she would be willing to accept two additional conditions: not to market the units as student housing and to rent by the unit, not by the bedroom. Ms. Lindemanis accepted both conditions, noting she would require the first and last month's rent, as well as a security deposit, which would limit the accessibility of the units.

Commission Member Pruitt asked if the units would be used as short-term rentals. Ms. Lindemanis replied that the units would have long-term leases. Commission Member Pruitt asked if any stream restoration was planned for the stream on the property to address erosion of the streambank near the building. Ms. Lindemanis stated that the brush and debris would be cleaned up. Mr. Wise noted that a more effective streambank restoration would require repairing larger sections of the creek, not just the section on the subject property.

Chair Tait asked where the stormwater from the roof of the building and the parking lot went. Mr. Wise replied that the roof drains discharged onto the property, and the parking lot discharged surface runoff. He stated there was an open ditch towards the front that ran most of the water to the creek. Chair Tait asked if there was a way to capture any of the runoff in a way that was not prohibitively expensive. Mr.

Wise suggested using rain barrels to capture runoff from the roof but felt it would be difficult to capture the surface runoff from the parking lot inexpensively. Chair Tait asked what level of improvement would trigger the requirement for the applicant to capture the stormwater. Mr. Wise explained that the General Statutes did not allow the town to require stormwater detention for existing impervious surfaces.

Commission Member Kight asked if the building was sprinkled. Ms. Lindemanis replied that the building was not sprinkled and was not required to be under the building code. Commission Member Kight questioned the number of flood openings in the crawl space. Mr. Wise stated that would only be relevant if the building were wet floodproofed. He explained that if the crawlspace were designed to allow water to enter and exit, the number of openings would have to match. However, residential properties could not be wet floodproofed. Mr. Wise noted that dry floodproofing involved installing barriers to prevent water from entering. He added that the only way to floodproof residential structures was to elevate them.

Commission Member Behrend inquired whether some of the units could be designated for low-income housing. Ms. Lindemanis replied that it would be cost-prohibitive for such a small complex.

Commission Member Pruitt noted that the building's value in January was $232,000, and the estimated project cost was almost 50% of that amount. She asked if that constituted a substantial improvement. Mr. Wise replied that the project cost was just under 50%. He noted that the applicant was considering obtaining a new appraisal, which could alter the building's value. Commission Member Pruitt asked what Ms. Lindemanis would have to do to come into compliance once the 50% was exceeded. Mr. Wise stated that the finished floor would need to be elevated to meet the required 2 feet above the base flood elevation. Council Member Plaag asked if the HVAC units would be elevated. Ms. Lindemanis replied that the HVAC units were being replaced with mini-splits. She stated that they could add 3.6 inches by building a subfloor structure out of two-by-fours, adding a layer of plywood, and then laying LVT over that, which would increase the finished floor height by about four and a half inches.

Commission Member Pruitt asked Ms. Lindemanis if she could obtain flood insurance. Commission Member Pruitt stated that she was an insurance agent, noting that if a property had already flooded once, it was difficult to get flood insurance. Ms. Lindemanis replied that when the property changed ownership, certain carriers would not insure it, but others would. She stated that she had had conversations with the bank and attorneys. Commission Member Pruitt did not believe that private flood insurance would cover the property up to its full value, and she was concerned that the property could flood, leaving it without coverage. Ms. Lindemanis stated it would be very irresponsible of her as a business owner to buy a property that could not be insured. She noted that the premium and deductible might be higher but felt it could be insured.

Chair Tait stated that the renovation cost was listed as $115,000. Ms. Lindemanis noted that the project cost might be slightly higher if they had to add the 3.6 inches to the floor. She said that she had materials, such as vanities, hardware, and flooring, from other projects that she planned to use in this project, which kept her costs low. However, if the price exceeded the 50% threshold, they would have to elevate the finished floor.

Council Member Plaag asked if there was a requirement that when renovation costs exceeded a certain threshold, existing non-conformities needed to be addressed. He pointed out the parking maximums in Boone and inquired whether any of the impermeable surfaces would need to be removed. Ms. Snider replied that when the project cost reached 75% of the structure's value, complete compliance to the extent possible would be required. She noted that parking requirements for residential were minimum requirements, with maximum requirements for commercial property. Ms. Snider wished to clarify that R3 could have up to four unrelated persons per unit.

DRAFT

Council Member Carter asked if the cost of raising the floor 3-4 inches would be so substantial that it would make living there unaffordable. Council Member Plaag felt that the units would not be marketed as workforce housing or affordable housing and that only people making a substantial salary would be able to afford the rent. Ms. Lindemanis stated that she was trying to create quality housing by using high-end finishes instead of the "cheap housing" referred to in the Boone Next Plan. This development was not intended to be exclusive luxury housing but affordable for the average person who lived and worked here. Ms. Lindemanis stated that if the Council and Planning Commission wanted the three and a half inches added to the finished floor, she would make that happen. Ms. Meade asked if the ceilings were high enough to accommodate the addition of 4" to the floor. Ms. Lindemanis replied that the ceilings were approximately 10 feet high.

Matt Long with Capehart Construction stated he visited the property in late October or early November. He noted that the floor finishes and drywall had been removed, and he saw no evidence of water damage to the subfloor. He stated that the water in the crawl space reached the I-joists, which were approximately one foot below the subfloor. Mr. Long said that to raise the finished floor elevation, he could put two-by-fours on edge, add another subfloor on top of the current subfloor, and then finish that floor.

Council Member Tugman asked if the entire building would be gutted to accommodate the new floor plan. Mr. Long replied that the plan was to remove some walls, repurpose the framing, and add some new walls. Council Member Tugman asked if there was currently a second floor in the building. Mr. Long replied that the second floor was currently more like a high atrium. Vice-Chair Veno asked about access to the second floor. Ms. Lindemanis stated they would have to add a staircase to the second floor.

Council Member Plaag wished to verify that the applicant had agreed to the three conditions in addition to the usual conditions:

1. Add signage that informs people upon entering the parking lot that they are entering a flood zone.
2. The units will not be marketed as student housing.
3. The apartments will be rented by the unit, not by the bedroom.

Ms. Lindemanis agreed to the conditions.

Mayor Futrelle invited public comment on this case.

Maria Owens of 417 Meadowview Drive stated that she did not believe the water had entered the Sparks building. She said she was happy that someone wanted to make an investment in their neighborhood that fit with the residential character.

With nothing further, Mayor Futrelle closed the public hearing for this case at 7:20 p.m.

Case A25-0115 Jeremiah's Ice – Conditional District Zoning Map Amendment - POSTPONED

Chelsea Bell Garrett has submitted a Conditional District Zoning Map Amendment application to rezone 1095 East King Street from B3 General Business to Conditional District B3 General Business with a site-specific plan for Accessory Use A-4 Drive-through.

Mayor Futrelle announced that this case had been postponed.

Case A25-0164 Estep and Rivers – General Use Zoning Map Amendment

In conjunction with a request for voluntary annexation, the Town of Boone has initiated the zoning of property on Highland Hall Road (Watauga County PIN 2901-22-6259-000) owned by Sairung Estep and Matthew Rivers. The zoning district that is being considered is R1 Single-Family Residential, along with Viewshed Protection District overlay.

Council Member Plaag disclosed that he was close friends with the applicants but felt that would not affect his ability to process this case objectively.

Christy Turner, Residential Zoning Administrator, presented the request.

Council Member Plaag asked if zoning the property as R1 Single-Family Residential with the Viewshed Protection District overlay would create any non-conformities. Ms. Turner replied that this was a vacant lot and no non-conformities would be created.

Council Member Tugman asked how much it would cost the town to bring water and sewer to this property. Mr. Wise noted that the applicant was only seeking sewer service, and the sewer would flow downhill and tie to the existing sewer line at the apartments at the beginning of Highland Hall Road. The line would be run from the subject property to the existing sewer line at the property owner's expense. Ms. Meade added that the town did not have an obligation to run utilities where it was not cost-effective.

Ms. Turner stated that she had emailed other departments of the town, and no one had any issues with annexing this property. However, debris pickup would not be offered to the property because there was no turnaround for the trucks. Ms. Turner noted that most of the lots in this neighborhood were very small and did not offer room for a repair field area in the event their sewer system failed.

Chair Tait stated that running a sewer line down the road under the street would mean tearing up the pavement, installing manholes, and repaving. He cautioned the applicant to do their due diligence in terms of what that potential cost could be.

Council Member Tugman asked if the primary reason for annexation and the request for sewer services was due to a failed septic system. Sairung Estep, the applicant and property owner, replied that acquiring sewer service was the primary reason for their request to annex. Ms. Turner noted that the county preferred a ½ to 1-acre lot to accommodate septic fields.

Ms. Estep stated she and her partner, Matt, were lifelong members of the high country and were excited to build their forever home just minutes away from downtown. She said that annexing their small lot into the Town of Boone would allow them to breathe a little bit easier, and they welcomed any available town services.

With nothing further, Mayor Futrelle closed the public hearing for this case at 7:32 p.m.

Adjournment of Town Council

Council Member Carter moved to adjourn the Public Hearing at 7:32 p.m. Council Member Plaag seconded the motion.

Vote: Aye – 4
Nay – 0
Absent – 2 (George)

The motion passed.

_____ _____

Tim Futrelle, Mayor **Brenda Henson, Board Clerk**

_____

Adrian Tait, Planning Commission Chair

PLANNING COMMISSION

Chair Tait called a break in the meeting from 7:32 p.m. until 7:39 p.m.

Case A25-0105 The View Apartments – Conditional District Zoning Map Amendment

Charlotte Lindemanis has submitted a Conditional District Zoning Map Amendment application to rezone 381 Meadowview Drive from B3 General Business to Conditional District R3 Multiple-Family Residential with a site-specific plan for use 1.11 Multi-Family Dwelling (up to 30 bedrooms).

Vice-Chair Veno stated that he was not in favor of the possible requirement to raise the finished floor by 3-4 inches. He did not think that this would make a significant difference if the property flooded. Vice-Chair Veno added that numerous precautions were taken during the building's construction to ensure it was well above the base flood elevation.

Mr. Wise stated that when the building was constructed in 2002, it was built two feet above the base flood elevation. However, the flood maps have changed, and the baseline got higher. Mr. Wise stated that the town always encouraged people to come into compliance with the 2' above base flood elevation. He noted that once the 50% was reached, compliance was required. If a new appraisal significantly raises the building's value, it would require a greater construction value to reach the 50% threshold.

Chair Tait felt it would be best to let the value of the improvements and the building value dictate what needed to be done. Vice-Chair Veno agreed and stated this was a perfect fit for this neighborhood.

First Motion and Vote: Commission Member Behrend made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because of:

Comprehensive Plan Policy 2.1.1 Economic Development

A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

Comprehensive Plan Policy 2.3.3 Housing and Neighborhoods

A. The protection and rehabilitation of viable neighborhoods shall be encouraged to ensure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.

H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

Vice-Chair Veno seconded the motion. Chair Tait wished to amend the motion to include the following conditions:

1. Where there is a conflict between the application information and the plans (dated received on February 6, 2025), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.

DRAFT

2. Any commitments and representations concerning the proposed development made by the applicant or her representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. The applicant shall submit the necessary applications, plans, details and specifications which meet the requirements of the Town Code, UDO, Building Code and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.
4. The applicant will add appropriate signage that informs people upon entering the parking lot that they are entering a flood zone.
5. The applicant will not market the units as student housing.
6. The applicant will rent the dwelling units by the unit, not by the bedroom.

Commission Member Behrend and Vice-Chair Veno accepted the amendment.

Vote: Aye – 5
Nay – 0

The motion passed.

Second Motion and Vote: Commission Member Behrend made a motion that the Planning Commission recommends approval of Ordinance A25-0105 within Exhibit A and believes approval is reasonable and in the public interest because this is going to improve that whole neighborhood, there are a lot of people in that neighborhood that are really excited about it, and it will give some more housing to Boone. Vice-Chair Veno seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Case A25-0164 Estep and Rivers – General Use Zoning Map Amendment

In conjunction with a request for voluntary annexation, the Town of Boone has initiated the zoning of property on Highland Hall Road (Watauga County PIN 2901-22-6259-000) owned by Sairung Estep and Matthew Rivers. The zoning district that is being considered is R1 Single-Family Residential, along with the Viewshed Protection District overlay.

Commission Member Behrend felt this would be good for the town. She thought that this family seemed ready to commit to annexing into town and receiving town services.

First Motion and Vote: Commission Member Kight made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because of:

Comprehensive Plan Policy 2.1.1 Economic Development

D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

Comprehensive Plan Policy 2.2.2 Utilities

C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area.

Comprehensive Plan Policy 2.3.3 Housing and Neighborhoods

F. The affordable housing needs of area residents, particularly elderly and low to moderate income residents, shall be recognized in Town policies and actions regarding residential development.

Commission Member Behrend seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Second Motion and Vote: Commission Member Pruitt made a motion that the Planning Commission recommends approval of Ordinance A25-0164 within Exhibit A and believes approval is reasonable and in the public interest because it is allowing additional residents of Boone to stay and build and thrive. Commission Member Behrend seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Other Matters

No other matters were discussed at this meeting.

Adjournment

Commission Member Kight motioned to adjourn the meeting at 8:01 p.m. Commission Member Behrend seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

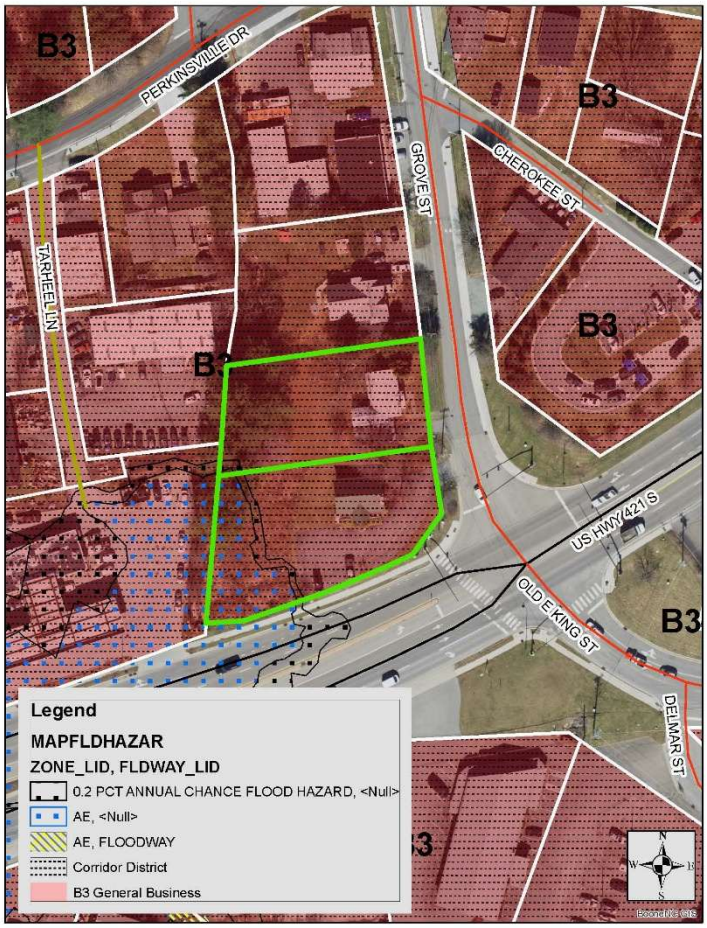
_____ _____

Adrian Tait, Planning Commission Chair **Brenda Henson, Board Clerk**

DRAFT

Staff Report
May 19, 2025
Case A25-0115 – Jeremiahs Ice Conditional District Zoning Map Amendment

Request....2
Parcel and Project Information....2
Zoning History....3
Zoning Analysis....3
District Compliance:....3
Use Compliance:....3
Additional Ordinance Compliance:....4
Analysis by other Town Staff:....4
Procedural Analysis....4
Conformity to Adopted Plans....6
Comprehensive Plan Update....6
Certificate of Mailing....10
Certification of Posting....10
Condition of Approval....10
Planning Commission Recommendations....11
Town Council Action - Adoption of Ordinance....12
Exhibit A – Ordinance A25-0115....13



Request

JSeventeen7, LLC, has submitted an application to rezone the property at 1095 East King Street from B3 General Business to Conditional District B3 General Business in order to add a Drive-through as an accessory use. The applicant has submitted zoning and building plans to convert the current building into an Italian ice restaurant. The subject property is outlined in green on the map above.

Parcel and Project Information

Address:	1095 E King St	111 Grove St
Property Owner:	The John E and Lennis C Greene Revocable Living Trust	Hardin Creek Holdings, LLC
Watauga County PIN:	2910-59-9247-000	2910-59-9346-000
Parcel Tax Value:	$301,300	$169,400
Lot size:	0.494 ac	0.37 ac

Jurisdiction:	Town of Boone
Access:	Grove Street (Town Maintained)
SFHA:	Yes (not impacted by the proposed development)
Watershed District:	No
Corridor District:	Yes
NCD:	No
Viewshed:	No
Steep Slope:	No
Current Zoning:	B3 General Business with Corridor and Special Flood Hazard Area Overlay The B3 General Business District is primarily intended to accommodate a wide range of office, restaurant, retail, service, and multi-family residential uses in a mixed-use environment. The regulations for this district are intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses. The Corridor District is an established overlay district intended to protect the main thoroughfares though Town. The Special Flood Hazard Area is an overlay district intended to regulate the Special Flood Hazard Area pursuant to Article 30 Flood Damage Prevention.
Proposed Zoning:	Conditional Use B3 General Business with Corridor and Special Flood Hazard Area Overlay
Current Use:	11.14 Business or Professional Office
Proposed Use:	11.06 Restaurants ≤ 3500ft^2 with an Accessory Use for a Drive-through

An establishment primarily engaged in preparing and selling of food and/or beverages (that may include alcoholic beverages) for consumption on or off premises.

Proposed Project Costs: $397,000

Zoning & Use of Adjacent Properties		
	Adjacent Zoning	**Adjacent Land Use**
North	B3 General Business	Residential, Single-family residence
East	B3 General Business	Commercial, Car Wash
South	B3 General Business	Institutional, Church
West	B3 General Business	Commercial, Gas Station

Zoning History

April 2, 2025 The Town of Boone issued a zoning permit, Z25-0036, for the change of use to 11.06 Restaurants ≤ 3500ft^2.

Zoning Analysis

District Compliance:

As proposed, the site-specific plan is in compliance with the B3 General Business District standards as shown below:

Standard	Proposed	Compliance
Minimum Gross Land Area: 5,000 sq ft	37,760 ft^2	Yes
Minimum Lot Width: 50 ft	177 ft	Yes
Minimum Street Frontage: 40 ft	113 ft	Yes
Minimum Livability Space: .27	0.55 (20,842 ft^2)	Yes
Interior Setback: 17 ft	> 17 ft	Yes
Street Setback: 20 ft	> 20 ft	Yes
Maximum Building Height: 3 stories	2 stories	Yes

The neighborhood is a mix of commercial and multi-family residential. The parcel is located off from a town-maintained street which is access to a main thoroughfare.

Use Compliance:

The addition of a Drive-through is required to meet all the limited use requirements for A-4 Accessory Use Drive-Through which can be found in UDO Section 15.48 and are detailed below:

- 15.48.01: A drive-through must be located to the side or rear of the building.

  Staff Note: The applicant proposes for the drive-through to be on the side/rear of the building depending on which street the property is viewed from, creating a lane of traffic below the new deck

to access a window on the western elevation currently shown as walk-up service window on Revised Site Plan, Exhibit 3, page 3.

- 15.48.02: Drive-through lanes must contain a stacking area equal to five (5) standard parking spaces.

  Staff Note: The applicant's site plan has a traffic flow pattern with access from Grove St behind marked parking spaces, around the western side of the building traveling under the deck, around and out through the King St facing side of the building. See Revised Site Plan in Exhibit 3, page 3.

- 15.48.03: Drive-through lanes must not interfere with parking aisles or spaces.

  Staff Note: The applicant's site plan demonstrates the traffic behind the dedicated parking spaces, accessing from Grove Street on the north side of the property and circling the building to the southern side of the building. See the Traffic Flow in Exhibit 5.

Additional Ordinance Compliance:

Compliance with all other sections of the ordinance were reviewed and approved by the Town of Boone during the issuance of the permit for the change-of-use.

Analysis by other Town Staff:

Public Works:

Services Division (Justin Stines, Deputy Public Works Director)

Although a Traffic Impact Analysis (TIA) has not been required, the applicant has stated that they are in the process of preparing one. Public Works requests the opportunity to review and provide feedback on the analysis to assess whether further adjustments may be needed.

Staff Note: Pending report for full review.

Procedural Analysis

Pursuant to UDO Subsection 14.01.02(C) a Conditional District (CD) is a zoning district in which the use and development of a property pursuant to a site-specific development plan is approved through the legislative process pursuant to Article 9 of this Ordinance. A CD utilizes a proposed general use zoning district, is limited to the authorized uses and development standards mandated within that district and may be subjected to conditions that make the development more desirable.

A site-specific vesting plan is defined in UDO Article 34 as "A plan submitted to a local government in which the applicant requests vesting in accordance with Section 4.13, describing with reasonable certainty on the plan the type and intensity of use for a specific parcel or parcels of property. The plan may be in the form of, but not be limited to, any of the following plans or approvals: a subdivision plat, a preliminary or general development plan, a special use permit, a conditional district zoning plan. The plan shall include the approximate boundaries of the site; significant topographical and other natural features affecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways."

See below for details on the applicant's compliance with the Conditional District procedural requirement for a neighborhood meeting as set forth in UDO Subsection 9.09.02 and the development's overall compliance with UDO standards specific to the development:

Compliance with UDO Subsection 9.09.02 Neighborhood Meeting:

A. The applicant shall conduct a neighborhood meeting prior to the submission of the application for a Conditional District Zoning Map Amendment. This meeting will allow the applicant to explain the proposed development and to be informed of the concerns of the neighborhood and surrounding property owners.

B. A meeting notice must be mailed to property owners within 300' of the development at least 25 days prior to the meeting in accordance with Subsection 1.13.02 herein. A copy of the notice shall also be provided to the Planning Department. The notice shall contain a summary of the proposed development, the applicants contact information, the date, time, and location of the meeting.

C. The meeting must be held at an accessible and convenient location and time in light of available options. Upon coordination through the Planning Department, the meeting may be held at Town Council Chambers if that location is available.

D. At the meeting, the petitioner, at a minimum, shall present all the following information:

   1. Contact information of the parties involved in the ownership, design, and development of the property;
   2. The location of the property and general information on the current conditions of the site;
   3. Proposed use(s) and site development;
   4. Any preliminary plans or renderings, if available; and

E. The applicant shall provide the Administrator with a summary report of the meeting which includes a list of all attendees and details the meeting including all concerns expressed by attendees and commitments made by the petitioner. This report shall be included in the staff report.

Staff Note: The applicant held a neighborhood meeting on February 6, 2025, notice was mailed to adjacent property owners on January 10, 2025. A recap of the meeting is included in the board packet as Exhibit 1.

Conformity to Adopted Plans

Comprehensive Plan Update

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High-Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

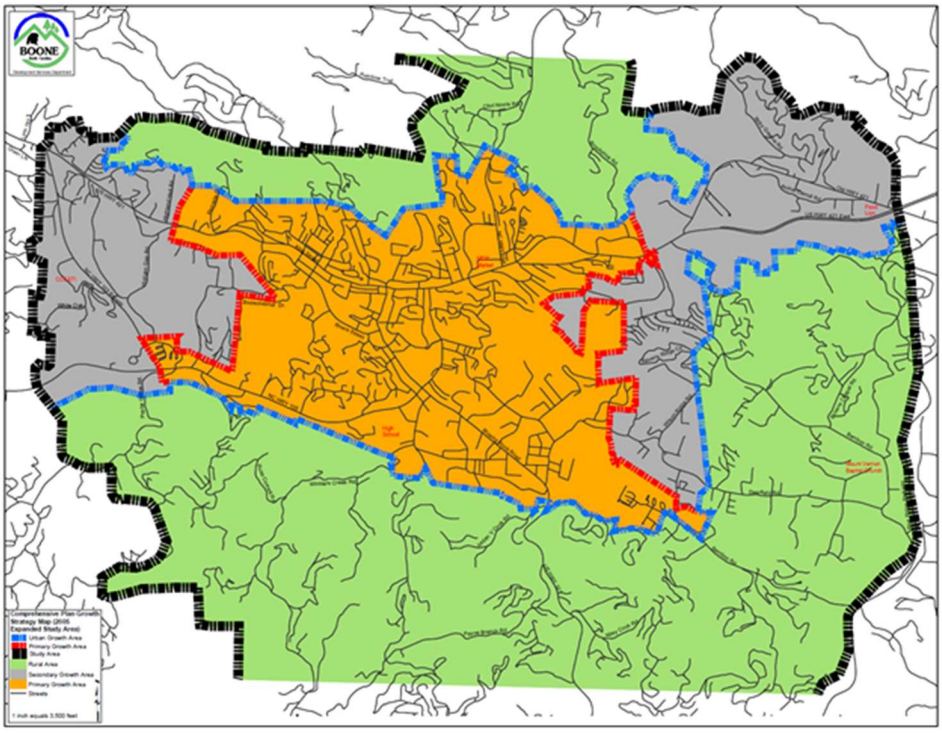
Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area.



The property is located within the Primary Growth area. The Primary Growth Area is that portion of the urban growth area where urban level or facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

The Secondary Growth Area is that portion of the urban growth area where urban level services can be provided, but on a lower priority basis than in the primary growth area.

Additionally, for comparison, the Rural Area is that portion of the planning study area that is influenced by urban area growth forces, but within which urban level development should be strongly discouraged. Urban level services and associated development densities should not be planned for this area, except in case by case evaluations of major economic development projects.

Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Commission and Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation. See below:

…

2.1 THE ECONOMY

2.1.1 Economic Development

A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

B. New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.

C. The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective.

D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

D.1 Evaluate development regulations for amendments providing flexibility in the renovation and redevelopment of existing structures and sites.

E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.

F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.

I. Small business start-ups, expansions and spin-offs shall be encouraged. The presence of ASU and Caldwell Community College and Technical Institute shall be recognized as a necessary and important resource for area businesses.

2.1.2 Commercial Development

A. Uncontrolled strip development along the areas through streets shall be prohibited. The undesirable effects of existing strip development shall be reduced and/or reconfigured when redevelopment opportunities permit. New strip development on isolated single lots along through streets shall be discouraged.

B. Commercial and Office Development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.

D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.

E. Residentially scaled and designed neighborhood businesses may be a planned element of newly developed or redeveloped neighborhoods. They should be near other compatible facilities such as elementary schools and neighborhood parks.

F. Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property, only when such consolidation and expansion does not encroach upon a viable residential area.

J. Highway Oriented Commercial uses shall be clustered along segments of major streets and contain land uses which are mutually compatible and reinforcing in use and design. Businesses shall be encouraged to coordinate their site designs with other nearby businesses. Design factors shall include, at a minimum, shared parking and street access, convenient pedestrian and vehicular movement, and consistent sign standards.

2.2 INFRASTRUCTURE

2.2.1 Transportation

I. Driveway cuts along major streets and roads shall be limited to allow these streets to serve primarily as safe traffic movement corridors or, alternatively, to maximize curb frontage for on-street parking.

2.2.5 Environmental Health

C. Development activities in the 100 year floodplain or near lakes or streams shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural or forestry activities shall be preferred.

G. The development of a comprehensive drainage and flood plain management plan, including public and private actions in support of plan implementation, shall be supported.

2.3 THE COMMUNITY

A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.1 Community Appearance

C. The significance of major roadway entrances into Boone as measures of community image and quality shall be recognized through building placement, landscape, signage and other visual improvements. The Town, along with private property owners and developers, shall work to jointly improve the appearance and design of major street corridors.

2.3.2 Community Character

A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.

C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.

E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

Certificate of Mailing

I, Brenda Henson, certify that individual notices meeting the requirements of Article 9 of the Town of Boone UDO were placed in the mail (first class) on 04/25/2025.

/s/ Brenda Henson

Brenda Henson, Administrative Support Specialist

Certification of Posting

I, Brandon Wise, certify that the subject property was posted as required in Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO on 04/25/2025.

/s/ Brandon Wise

Brandon Wise, Deputy Planning Director

Condition of Approval

The following conditions are automatically included and a part of any approval.

1. Where there is a conflict between the application information and the plans (dated received on March 19, 2025), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed development made by the applicant or her representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. The applicant shall submit the necessary applications, plans, details and specifications which meet the requirements of the Town Code, UDO, Building Code and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

Any other conditions agreed upon by the applicant and Town Council:

1. Any other conditions agreed upon …

Planning Commission Recommendations

Per NCGS 160D-604(b), subsequent to initial adoption of a zoning regulation, all proposed amendments to the zoning regulation or zoning map shall be submitted to the Planning Commission for review and comment. If no written report is received from the Planning Commission within 30 days of referral of the amendment to that board, the Town Council may act on the amendment without the Planning Commission report. The Town Council is not bound by the recommendations, if any, of the Planning Commission. Per NCGS 160D-604(d), when conducting a review of proposed zoning text or map, the Planning Commission shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Commission shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the Planning Commission, but a comment by the Planning Commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Vote 1: The proposed amendment to the Town's zoning map ☐**is** OR ☐**is not** consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

***Note 1**: describe elements of controlling land use plans and how the amendment is or is not consistent.*

Vote 2: The Planning Commission recommends ☐**approval** OR ☐**denial** of Ordinance #A25-0115 within Exhibit A and believes ☐**approval** OR ☐**denial** is reasonable and in the public interest because:

Note 2

***Note 2**: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.*

Town Council Action - Adoption of Ordinance

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently.

Vote 1: The proposed amendment to the Town's zoning map ☐**is** OR ☐**is not** consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

***Note 1**: describe elements of controlling land use plans and how the amendment is or is not consistent.*

Vote 2: The Town Council ☐**approves** OR ☐**denies** and believes ☐**approval** OR ☐**denial** of Ordinance #A25-0115 in Exhibit A is reasonable and in the public interest because:

Note 2

***Note 2**: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.*

Exhibit A – Ordinance A25-0115

Ordinance A25-0115

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission and Town Council has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to rezone the property below from B3 General Business with Corridor and Special Flood Hazard Area Overlay to B3 General Business with Corridor and Special Flood Hazard Area Overlay with a site-specific development plan for Use 11.06 Restaurants ≤ 3500ft^2 with an Accessory Use for a A-4 Drive-through.

Addresses:	1095 East King St	111 Grove St
Watauga County PIN:	2910-59-9247-000	2910-59-9346-000
Property Owner:	The John E and Lennis C Greene Revocable Living Trust	Hardin Creek Holdings, LLC

WHEREAS, the Boone Town Council held a duly-noticed public hearing 06/25/2025 with respect to this rezoning request; and

WHEREAS, the Boone Town Council has taken into full consideration any information offered at the public hearing; and

WHEREAS, this Town Council has reviewed the written recommendations of the Town of Boone Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Boone Town Council hereby approves and adopts the modifications to the Town Zoning Map as set forth herein.

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this the 25rd day of June, 2025.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon-Church, Town Clerk

DEAL, MOSELEY, DI SANTI, GARRETT & MARTIN, LLP
ATTORNEYS AND COUNSELLORS AT LAW
870 West King Street, Suite B
PO Box 311
Boone, North Carolina 28607
Telephone (828) 264-4734
Fax (828) 264-2712

James M. Deal, Jr.
Allen C. Moseley
Claude D. Smith, Jr.*
Anthony S. di Santi (ret.)

Bryan P. Martin
Chelsea Bell Garrett
J. Tucker Deal
George J. Wigington

*** Also Licensed in Georgia**

Neighborhood Meeting Notes- Jeremiah's Italian Ice & TBD Coffee Truck
Meeting Date: Thurs. February 6, 2025
Re: CDZ drive-through for proposed Italian ice and coffee truck
Property Location: 1095 E. King St.
Notice Mailed January 10, 2025

Attendees: (1) Dillon Waschenbach- owner (with wife, Emma) of property located at 222 Perkinsville Drive (the blue house on the northeast corner of Grove St. and Perkinsville Drive); (2) Chelsea Bell Garrett; (3) Jack Garrett (junior at WHS)

Please see attached email correspondence between Chelsea Garrett and Dillon Waschenbach before the neighborhood meeting. At the meeting, Mr. Waschenbach asked about the intended use a bit more. He expressed concern about morning traffic more than anything. He said that is the time of day he notices and primarily experiences traffic congestion. The Italian ice business will not open before 11am and he appeared pleased to hear that. If a coffee truck is also parked on property (which is currently up-in-the-air), he understood that would have morning hours. Dillon was open to a coffee truck in the morning if cars could be accommodated and kept off Grove St. Applicant and Dillon discussed the length of the drive-through and how it would operate.

There will NOT be an ordering board/ voice menu. Patrons will order and wait for their order at the window (for Italian ice) or coffee truck in person. Thus, no cars will stack waiting to order closer to the entrance of the property. Instead, the first and only place stacking will start is under the deck shown on the rendering. In the unlikely event a greater number of cars than expected stack- creating an issue, one idea discussed was a possible double queue like what Come Back Shack does, and Applicant is very open to considering this if the site layout will permit. However, Applicant has the strong belief (and is seeking franchise data) that the distance provided from entry to drive-up window is sufficient for fairly significant stacking during any busy hours. The ordinance requires the drive-through to accommodate a minimum of 5 cars stacked on property, which are measured as 17 ½ feet each. Based on the scale on the plans, it appears at least 8-9 cars should be able to stack before they order at the window (without/ before resorting to a double queue). In addition, unlike Chick Fil A or other restaurants with peak mealtime hours, the times of visits to the site for Italian Ice are anticipated to be more spread out during the day and certainly more after mealtimes. Visits for the coffee truck would be concentrated in the morning- clearly.

Mr. Waschenbach was encouraged to come to the March 24, 2025 meeting or submit his comments in writing to Town of Boone staff or the Applicant to share.

From: Chelsea Garrett <cgarrett@dealmoseley.com>
To: Dillon Waschenbach <dillon.waschenbach@gmail.com>
CC: "acrees@mesco.com" <acrees@mesco.com>, Sid Greene <sid@hardincreek.co>
Date: 1/16/2025 2:36 PM
Subject: RE: 1095 East King Drive Thru

Dillon:
The cabin building will remain and just be renovated. In that, my husband and I are going to open a "Jeremiah's Italian Ice". The operating hours will be approximately 11/ 12- 9/10pm. We will nail this down specifically, but this is very close if not accurate. On the outer drive-through lane (closest to the creek and the convenience store next door), there will be a "Bald Guy Brew" coffee truck. The hours of operation of that will be early morning until about midday/ early afternoon. So, the 2 will only overlap a couple hours midday.

I have texted with Don Cox who owns Bald Guy to talk to him about his plans/ intentions and will get back to you with any corrections or additional detail after I do so.

The entry drive/ proposed drive through will be as close to the back of the back (currently vacant) lot as possible (as shown), cars that are going through the drive-through will run along the back, turn left toward King St./ front of the property and go under a new deck that will be built on/ attached to the side of the cabin. 2 lanes will go under the deck. The exit is going to be in the same "curb cut" and will be marked by arrows. So parked cars can leave by simply backing out of the space and turning onto Grove. Drive-through cars will go around the front and leave the same way next to where they came in.

I will find out the exact #s, but my understanding from the Town is that the length of our drive-through provides for substantial "stacking" of cars on site- more than required. Let me see if I can get some comparative info to see what other drive-throughs are so you can compare.

Thank you,

Chelsea Bell Garrett
Attorney/ Partner
Deal Moseley di Santi Garrett & Martin, LLP
870 W. King St., Suite B
PO Box 311
Boone, NC 28607
Phone: 828-264-4734
Fax: 828-264-2712
cgarrett@dealmoseley.com

CONFIDENTIALITY NOTICE: This electronic mail transmission has been sent by a lawyer or an employee of a law firm. It may contain information that is confidential, privileged, proprietary, or otherwise legally exempt from disclosure. If you are not the intended recipient, you are hereby notified that you are not authorized to read, print, retain, copy or disseminate this message, any part of it, or any attachments. If you have received this message in error, please delete this message and any attachments from your system without reading the content and notify the sender immediately of the inadvertent transmission. There is no intent on the part of the sender to waive any privilege, including the attorney-client privilege, which may attach to this communication. Thank you for your cooperation.

-----Original Message-----
From: Dillon Waschenbach <dillon.waschenbach@gmail.com>
Sent: Thursday, January 16, 2025 1:44 PM
To: Chelsea Garrett <cgarrett@dealmoseley.com>
Cc: acrees@mesco.com; Sid Greene <sid@hardincreek.co>; Chelsea Garrett <cgarrett@dealmoseley.com>
Subject: Re: 1095 East King Drive Thru

Great, thank you Chelsea! I appreciate the prompt response! Here are some questions and thoughts;

What are the hours of the business?

What is the nature of the business? Fast food, ice cream, coffee, etc?

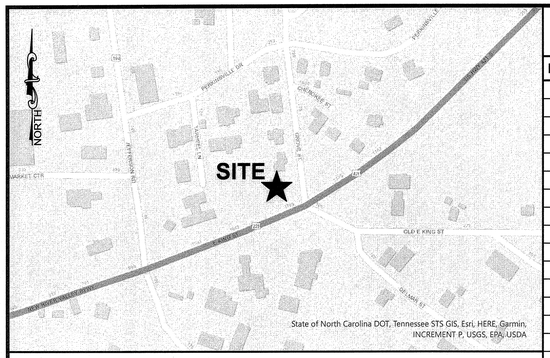
If open in the morning, there can be a lot of traffic going down the road with high school students going to school and people going to work. Will there be potential for a line that extends into the roadway, impeding this traffic? Similar to Come Back Shack, Cook Out, Bojangles? If so, I fear that will directly impact people's morning commutes, at an already congested intersection.

Which lots are you planning to use? It looks like the space where the cabin is and the open lot next to it.

Thank you,
Dillon Waschenbach

> On Jan 15, 2025, at 9:29 PM, Chelsea Garrett <cgarrett@dealmoseley.com> wrote:
>
> Dillon:
> Per your request, attached is the site plan for your review. The proposal shows the entry and exit being together and furthest away from the stop light, which is required by the ordinance and DOT rules on driveways near an intersection. Like I said earlier, if you want to ask questions or voice concerns, I'd love to hear them before 2/6 just so we can think through ways to address them (if possible); but, no pressure. You are, of course, free to wait until the meeting. I also copied Alan Crees from Municipal Engineering (local to Boone) who prepared the site plan and the property owner representative (Sid Greene).
> Thanks!
>
> Chelsea
>
> Chelsea Bell Garrett
> Attorney/ Partner
> Deal Moseley di Santi Garrett & Martin, LLP
> 870 W. King St., Suite B
> PO Box 311
> Boone, NC 28607
> Phone: 828-264-4734
> Fax: 828-264-2712
> cgarrett@dealmoseley.com
>
> CONFIDENTIALITY NOTICE: This electronic mail transmission has been sent by a lawyer or an employee of a law firm. It may contain information that is confidential, privileged, proprietary, or otherwise legally exempt from disclosure. If you are not the intended recipient, you are hereby notified that you are not authorized to read, print, retain, copy or disseminate this message, any part of it, or any attachments. If you have received this message in error, please delete this message and any attachments from your system without reading the content and notify the sender immediately of the inadvertent transmission. There is no intent on the part of the sender to waive any privilege, including the attorney-client privilege, which may attach to this communication. Thank you for your cooperation.
>
> -----Original Message-----
> From: Dillon Waschenbach <dillon.waschenbach@gmail.com>
> Sent: Wednesday, January 15, 2025 7:15 PM
> To: Chelsea Garrett <cgarrett@dealmoseley.com>
> Subject: 1095 East King Drive Thru
>
> Good Evening Ms. Garrett,
>
> I received your letter today regarding the proposed drive thru on Grove St. I was wondering if you could provide a mock up or photo of what the drive through would look like? I'm curious where the entrance and exit will be.
>
> I plan to attend on Feb 6th to learn more and voice concern. I believe I'm the only property owner on this street that doesn't rent their property out, so depending on the proposal, it could actively affect my living situation.
>
> Looking forward to it,
> Dillon Waschenbach
> <2025-01-15- 1-Page Site Plan for Neighb. Mtg..pdf>

Exhibit 3



VICINITY MAP
NOT TO SCALE

INDEX OF DRAWINGS

DWG. NO.	DESCRIPTION	DWG. NO.
C-1	COVER SHEET	1 OF 14
C-2	EXISTING CONDITIONS AND TREE REMOVAL PLAN	2 OF 14
C-3	SITE PLAN	3 OF 14
C-4	GRADING & STORM WATER DRAINAGE PLAN	4 OF 14
C-5	EROSION & SEDIMENTATION CONTROL PLAN	5 OF 14
C-6	*THIS SHEET HAS BEEN OMITTED*	6 OF 14
C-7	PHOTOMETRIC PLAN	7 OF 14
C-8	SITE DETAIL SHEET #1	8 OF 14
C-9	SITE DETAIL SHEET #2	9 OF 14
C-10	DUMPSTER ENCLOSURE DETAIL SHEET	10 OF 14
C-11	STORM DRAINAGE DETAILS	11 OF 14
C-12	EROSION & SEDIMENTATION CONTROL DETAIL SHEET #1	12 OF 14
C-13	EROSION & SEDIMENTATION CONTROL DETAIL SHEET #2	13 OF 14
C-14	EROSION & SEDIMENTATION CONTROL DETAIL SHEET #3	14 OF 14

OWNER:
THE JOHN E. AND LENNIS C.
GREENE REVOCABLE TRUST
476 CIRCLE DRIVE
BOONE, NC 28607
(828) 266-1205

APPLICANT:
JSEVENTEEN7, LLC
870 W. KING STREET, SUITE B
BOONE, NC 28607
(828) 773-9943

SURVEYOR:
MARTIN MAPPING SERVICES, PLLC
272 E. MILL CREEK RD.
FLEETWOOD, NC 28626
(704) 315-7348

CIVIL ENGINEER:
MUNICIPAL ENGINEERING, INC.
820-B STATE FARM ROAD
BOONE, NC 28607
(828) 262-1767

ARCHITECT:
APPALACHIAN ARCHITECTURE
703 W. KING STREET, SUITE 201
BOONE, NC 28607
(828) 265-2406

JEREMIAH'S ICE / BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING STREET
BOONE, NORTH CAROLINA
PROJECT NO. B24051

Municipal Engineering Inc,
Boone, N.C. Garner, N.C.

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CRES

By: _____ 11-27-24
Professional Engineer

LEGEND

- EX. SS MANHOLE
- EX. SS CLEANOUT
- EX. GATE VALVE
- EX. FIRE HYDRANT
- EX. BACKFLOW DEVICE
- EX. WATER METER
- EX. CATCH BASIN
- EX. DROP INLET
- EX. POWER POLE
- EX. LIGHT POLE
- EX. GUY WIRE
- EX. UTILITY BOX (SEE DESCRIPTION)
- EX. DECIDUOUS TREE (SEE DESCRIPTION)
- EX. EVERGREEN TREE (SEE DESCRIPTION)
- EX. PROPERTY CORNER (SEE DESCRIPTION)
- EX. CORNER POINT
- EX. SIDEWALK RAMP DETECTABLE WARNING SURFACE
- EX. BOLLARD
- EX. TEMPORARY BENCH MARK (SEE DESCRIPTION)
- PROPOSED SS MANHOLE
- PROPOSED SS CLEANOUT
- PROPOSED WATER METER
- PROPOSED GATE VALVE
- PROPOSED FIRE HYDRANT
- PROPOSED POWER POLE
- PROPOSED LIGHT POLE
- PROPOSED STORMWATER INLINE SIDEWALK DRAIN
- PROPOSED STORMWATER CATCH BASIN
- PROPOSED STORMWATER DROP INLET
- PROPOSED STORMWATER JUNCTION BOX / AREA INLET

LINETYPES

- 3200 EXISTING CONTOURS
- 3200 PROPOSED CONTOURS
- STREAM OR CREEK
- DITCH OR SWALE
- T/B STREAM OR CREEK TOP OF BANK
- SB STREAM BUFFER
- TB TROUT BUFFER
- FW EXISTING FLOODWAY LIMIT
- FP EXISTING FLOODPLAIN LIMIT
- FF EXISTING FLOOD FRINGE LIMIT
- EXISTING STORM DRAINAGE
- PROPOSED DRAINAGE PIPE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER MAIN
- EXISTING WATERLINE
- PROPOSED WATERMAIN
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED GUARDRAIL
- R/W RIGHT-OF-WAY LINE
- EA EASEMENTS
- WTL EXISTING WETLANDS
- TD TEMPORARY BERM DITCH
- SF SILT FENCE
- EXISTING WOODS LINE
- // EXISTING OVERHEAD POWERLINE
- G UNDERGROUND GAS LINE
- P UNDERGROUND POWERLINE
- T UNDERGROUND TELEPHONE LINE
- C UNDERGROUND CABLE LINE

LAND USE INTENSITY RATIOS

WATAUGA COUNTY PIN NOS:	2910-59-9247-000 & 2910-59-9346-000
WATAUGA COUNTY BOOK / PAGE:	2367 / 482 & 2235 / 087
ZONING:	B3 - GENERAL BUSINESS
PROPERTY AREA:	0.867 AC (37,760 SF)
APPROXIMATE DISTURBED AREA:	0.74 AC
EXISTING LAND USE:	11.14 - BUSINESS OR PROFESSIONAL OFFICE
PROPOSED LAND USE:	11.06 - RESTAURANT ≤ 3,500 SF
EXISTING GROSS FLOOR AREA:	1,485 SF
ADDED GROSS FLOOR AREA:	0 SF
TOTAL GROSS FLOOR AREA:	1,485 SF
EXISTING BUILDING FOOTPRINT:	1,029 SF
ADDED BUILDING FOOTPRINT:	0 SF
TOTAL BUILDING FOOTPRINT:	1,029 SF
NUMBER OF STORIES:	2
BUILDING HEIGHT:	25' < 4 STORY MAX.
EXISTING IMPERVIOUS AREA:	8,937 SF
ADDED IMPERVIOUS AREA:	8,824 SF
TOTAL IMPERVIOUS AREA:	17,761 SF
LIVABILITY SPACE:	20,842 SF
LIVABILITY SPACE RATIO:	55 % > 27% min.

PERCENT LIVABILITY SPACE THAT IS HARDSCAPE (IMPERVIOUS): 4.0% < 25% MAX.

BROWNFIELDS:	N/A
FLOOD HAZARD AREA:	YES

PARKING REQUIREMENTS

AUTOMOBILE PARKING REQUIREMENTS

PARKING REQUIRED = 12 SPACES / 1,000 SF GFA
BUILDING GFA = 1,029 SF

MINIMUM SPACES REQUIRED = (1,029 / 1,000) x 12 = 12 SPACES

PARKING SPACES PROVIDED = 16 SPACES

MOTORCYCLE PARKING REQUIREMENTS

MOTORCYCLE PARKING SPACE REQUIREMENT:
1 SPACE / 40 AUTOMOBILE PARKING SPACES

LESS THAN 20 AUTOMOBILE SPACES SO NONE REQUIRED

BICYCLE PARKING REQUIREMENTS

SHORT TERM BICYCLE SPACES REQUIRED

1 SPACE / 5,000 SF GFA

MINIMUM REQUIRED SHORT-TERM BICYCLE SPACES: 2 SPACES

PROVIDED SHORT-TERM BICYCLE SPACES: 2 SPACES

LONG TERM BICYCLE SPACES REQUIRED

1 SPACE / 10,000 SF GFA

MINIMUM REQUIRED LONG-TERM BICYCLE SPACES: 2 SPACES

PROVIDED LONG-TERM BICYCLE SPACES: 2 SPACES

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION

COVER SHEET

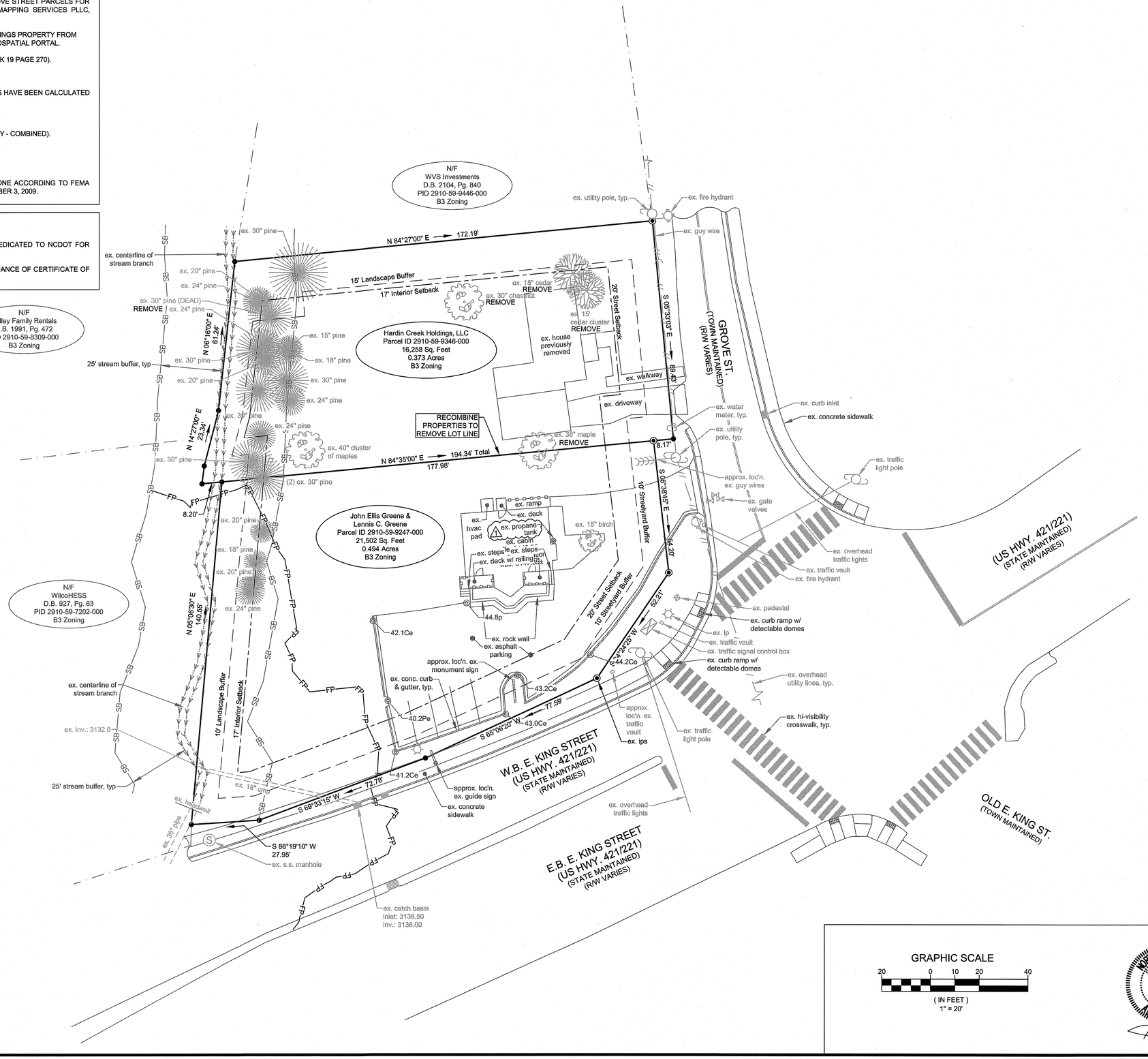
SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ/EGT
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-1
SHEET NO.	1 OF 14

BASEMAP NOTES:

1. WATAUGA COUNTY PIN: 2910-59-9247-000 & 2910-59-9346-000.
2. BASEMAP FROM TOPOGRAPHIC & BOUNDARY SURVEY OF GROVE STREET PARCELS FOR "HARDIN CREEK TIMBER FRAME & MILLWORK" BY MARTIN MAPPING SERVICES PLLC, P-1899 DATED JULY 22, 2024. PROJ #21-040
3. EXISTING HOUSE, DRIVE, & WALKWAY ON HARDIN CREEK HOLDINGS PROPERTY FROM ORTHOGRAPHIC AERIAL PHOTOGRAPH FROM NC ONE MAP GEOSPATIAL PORTAL.
4. BEARINGS ARE RELATIVE TO REFERENCED SURVEY (PLAT BOOK 19 PAGE 270).
5. ELEVATIONS ARE BASED UPON NAVD 88'.
6. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS AND AREAS HAVE BEEN CALCULATED USING THE COORDINATE GEOMETRY METHOD.
7. CONTOUR INTERVAL = 2 FOOT.
8. TOTAL PROPERTY AREA = 0.8670 ACRES (REFERENCED SURVEY - COMBINED).
9. SITE IS LOCATED IN THE HARDIN CREEK WATERSHED.
10. SITE IS LOCATED IN THE NEW RIVER BASIN.
11. SITE IS PARTIALLY LOCATED IN ZONE AE, 100-YEAR FLOOD ZONE ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 3710291000J, DATED DECEMBER 3, 2009.

PROPERTY NOTES:

1. A PORTION OF THE GREENE PROPERTY WAS PREVIOUSLY DEDICATED TO NCDOT FOR THE US 421/221 WIDENING PROJECT.
2. THE TWO PROPERTIES SHALL BE RECOMBINED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.



GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1" = 20'

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAIN J. CFEES
1-28-25

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	DESCRIPTION
1-28-25	AJC	1 EX. PROPANE TANK ADDED

EXISTING CONDITIONS & TREE REMOVAL PLAN

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-2
SHEET NO.	2 OF 14

SIGNAGE NOTES:

1. ALL SIGNAGE SHALL BE PERMITTED BY THE OWNER/APPLICANT SEPARATELY.

WATER SERVICE NOTES:

1. THE EXISTING WATER SERVICE TO THE BUILDING SHALL BE USED.
2. CONTRACTOR SHALL COORDINATE UPGRADE OF THE EXISTING WATER METER WITH ROBBIE JONES AT TOWN OF BOONE UTILITY DEPARTMENT (828-268-6250). (2) UPGRADE SHALL BE AT OWNER'S EXPENSE.
3. A DOUBLE CHECK VALVE SHALL BE INSTALLED INSIDE THE BUILDING AT THE MAIN CUTOFF FOR BACK FLOW PROTECTION.

SEWER SERVICE NOTES:

1. THE EXISTING SEWER SERVICE AT THE BUILDING SHALL BE USED.
2. THE EXISTING SEWER SERVICE SHALL BE REROUTED AS NECESSARY IF CONFLICTS ARISE FORM THE STORM WATER POND GRADING.

BICYCLE PARKING NOTES:

1. ALL BICYCLE PARKING FACILITIES SHALL MEET THE REQUIREMENTS OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE. IN PARTICULAR, BICYCLE PARKING FACILITIES SHALL BE CONSTRUCTED OF MATERIALS OF SUFFICIENT STRENGTH TO SIGNIFICANTLY RESIST THEIR DISPLACEMENT OR REMOVAL, AND THEY SHALL BE SECURELY ANCHORED IN CONCRETE OR OTHER EQUIVALENT MATERIAL OR SYSTEM OF SUFFICIENT STRENGTH TO SIGNIFICANTLY RESIST REMOVAL. BICYCLE PARKING FACILITIES SHALL SUPPORT BICYCLES IN A STABLE POSITION WITHOUT DAMAGE TO WHEELS, FRAME OR OTHER COMPONENTS AND ALLOW FOR THE USE OF EITHER A CABLE, U-SHAPED, OR SIMILAR LOCK TO SECURE BOTH WHEELS OF THE BICYCLE. NO LESS THAN 4' SHALL BE PROVIDED BETWEEN PARALLEL RACKS.
2. EXAMPLES OF ACCEPTABLE FACILITIES:

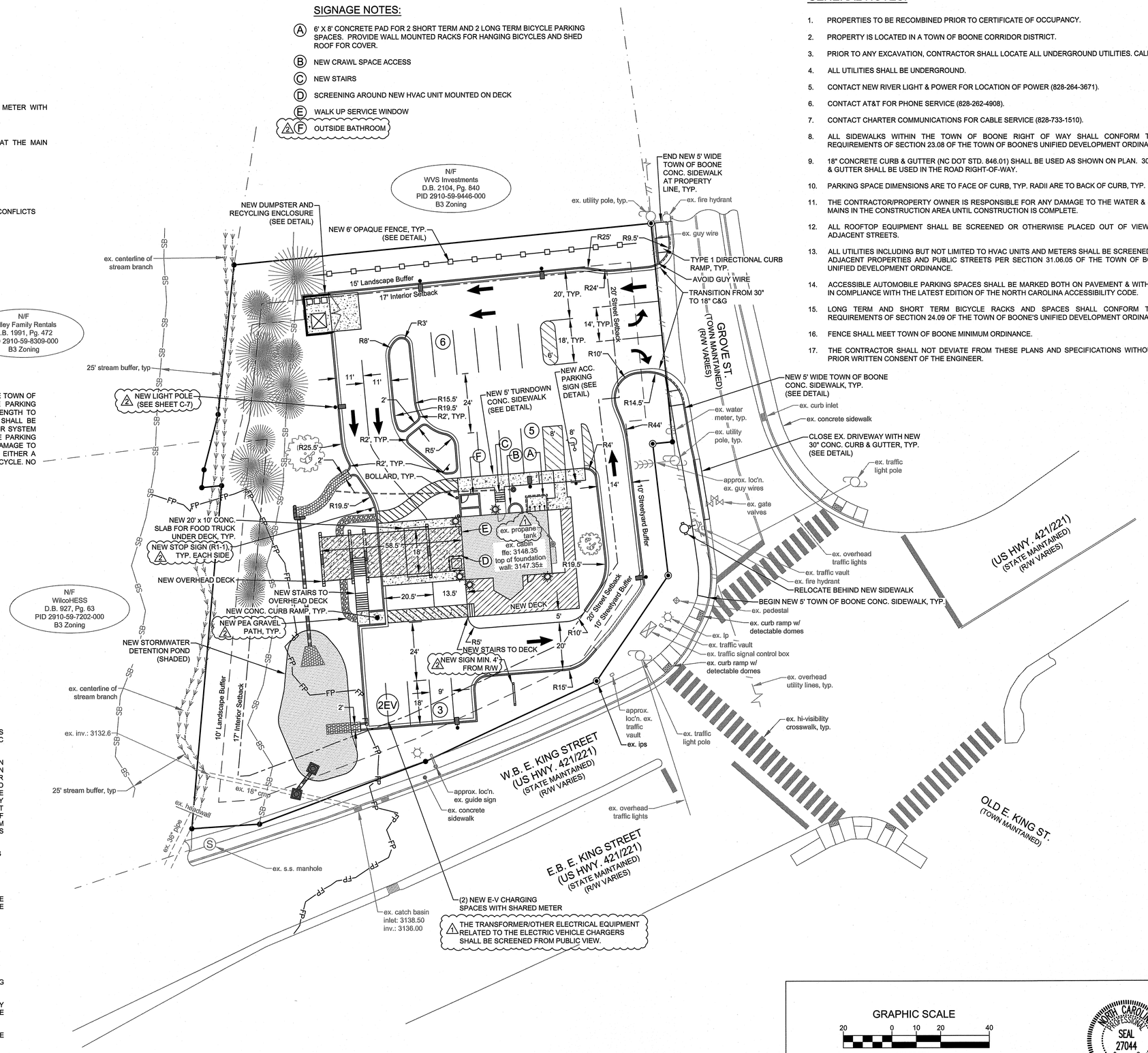


WORK WITHIN PUBLIC STREET OR SIDEWALK

1. A TRAFFIC CONTROL PLAN MUST BE SUBMITTED TO THE PUBLIC WORKS DEPARTMENT FOR ANY PROJECTS WHICH CONTAIN WORK WTHIN A PUIBLIC STREET OR SIDEWALK CLOSURE.
2. IN ACCORDANCE WITH TOWN CODE SECTION 96.04, ALL PERSONS ENGAGED IN DOING WORK THAT CREATES ANY DANGEROUS CONDITION OR OBSTRUCTION IN THE PUBLIC RIGHT-OF-WAY OF ANY STREET OR SIDEWALK SHALL TAKE WHATEVER ACTION IS NECESSARY, INCLUDING THE PLACEMENT OF BARRICADES AND WARNING SIGNS OR DEVICES TO WARN THE TRAVELING PUBLIC OF THE CONDITION OR OBSTRUCTION. THEREFORE, ALL WORK WITHIN OR ABUTTING ANY PUBLIC RIGHT-OF-WAY OR PUBLIC EASEMENT FOR STREETS OR SIDEWALKS MUST BE CONDUCTED IN CONFORMANCE WITH THE US DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION'S MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) (HTTP://MUTCD.FHWA.DOT.GOV/) THIS INCLUDES, BUT IS NOT LIMITED TO:
   - 2.1. PROVIDING COMPLETE AND PROPER SIGNAGE AND TRAFFIC CONTROL DEVICES TO WARN THE TRAVELING PUBLIC OF CONSTRUCTION.
   - 2.2. ALL LANES OF TRAFFIC, INCLUDING SIDEWALKS SHALL BE BACKFILLED AND TRAVERSABLE PRIOR TO REMOVING ANY LANE CLOSURE DEVICES.
3. IN ACCORDANCE WITH TOWN CODE SECTION 96.09 ANY INFRASTRUCTURE DISTURBED OR DAMAGED DURING THE COURSE OF CONSTRUCTION SHALL BE RESTORED TO ITS ORIGINAL CONDITION.
   - 3.1. ALL OPEN CUTS ON STREETS AND SIDEWALKS SHALL BE BACKFILLED AND TRAVERSABLE PRIOR TO REMOVING ANY RELATED LANE CLOSURE DEVICES.
   - 3.2. AT THE END OF EACH PHASE OF CONSTRUCTION WHERE WORK IN THE PUBLIC STREET OR SIDEWALK IS COMPLETE, THE APPLICANT MUST IMMEDIATELY RETURN THE PUBLIC STREET OR SIDEWALK TO PREVIOUS CONDITIONS.
4. ALL LANES OF TRAVEL, INCLUDING SIDEWALKS, SHALL BE OPEN DURING NON-WORKING HOURS.
5. THE APPLICANT IS REQUIRED TO COORDINATE THE CLOSING OF ANY DRIVEWAY WITH AFFECTED PROPERTY OWNERS. INGRESS AND EGRE3SS SHALL BE MAINTAINED TO ALL PROPERTY OWNERS AFFECTED BY THE PROJECT.
6. IN ACCORDANCE WITH TOWN CODE 96.05 NO PARKING OR MATERIAL STORAGE SHALL BE ALLOWED ALONG ANY PUBLIC STREET OR RIGHT OF WAY.

SIGNAGE NOTES:

(A) 6' X 8' CONCRETE PAD FOR 2 SHORT TERM AND 2 LONG TERM BICYCLE PARKING SPACES. PROVIDE WALL MOUNTED RACKS FOR HANGING BICYCLES AND SHED ROOF FOR COVER.
(B) NEW CRAWL SPACE ACCESS
(C) NEW STAIRS
(D) SCREENING AROUND NEW HVAC UNIT MOUNTED ON DECK
(E) WALK UP SERVICE WINDOW
(2)(F) OUTSIDE BATHROOM



GENERAL NOTES:

1. PROPERTIES TO BE RECOMBINED PRIOR TO CERTIFICATE OF OCCUPANCY.
2. PROPERTY IS LOCATED IN A TOWN OF BOONE CORRIDOR DISTRICT.
3. PRIOR TO ANY EXCAVATION, CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES. CALL 811.
4. ALL UTILITIES SHALL BE UNDERGROUND.
5. CONTACT NEW RIVER LIGHT & POWER FOR LOCATION OF POWER (828-264-3671).
6. CONTACT AT&T FOR PHONE SERVICE (828-262-4908).
7. CONTACT CHARTER COMMUNICATIONS FOR CABLE SERVICE (828-733-1510).
8. ALL SIDEWALKS WITHIN THE TOWN OF BOONE RIGHT OF WAY SHALL CONFORM TO ALL REQUIREMENTS OF SECTION 23.08 OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE.
9. 18" CONCRETE CURB & GUTTER (NC DOT STD. 846.01) SHALL BE USED AS SHOWN ON PLAN. 30" CURB & GUTTER SHALL BE USED IN THE ROAD RIGHT-OF-WAY.
10. PARKING SPACE DIMENSIONS ARE TO FACE OF CURB, TYP. RADII ARE TO BACK OF CURB, TYP.
11. THE CONTRACTOR/PROPERTY OWNER IS RESPONSIBLE FOR ANY DAMAGE TO THE WATER & SEWER MAINS IN THE CONSTRUCTION AREA UNTIL CONSTRUCTION IS COMPLETE.
12. ALL ROOFTOP EQUIPMENT SHALL BE SCREENED OR OTHERWISE PLACED OUT OF VIEW FROM ADJACENT STREETS.
13. ALL UTILITIES INCLUDING BUT NOT LIMITED TO HVAC UNITS AND METERS SHALL BE SCREENED FROM ADJACENT PROPERTIES AND PUBLIC STREETS PER SECTION 31.06.05 OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE.
14. ACCESSIBLE AUTOMOBILE PARKING SPACES SHALL BE MARKED BOTH ON PAVEMENT & WITH SIGNS IN COMPLIANCE WITH THE LATEST EDITION OF THE NORTH CAROLINA ACCESSIBILITY CODE.
15. LONG TERM AND SHORT TERM BICYCLE RACKS AND SPACES SHALL CONFORM TO ALL REQUIREMENTS OF SECTION 24.09 OF THE TOWN OF BOONE'S UNIFIED DEVELOPMENT ORDINANCE.
16. FENCE SHALL MEET TOWN OF BOONE MINIMUM ORDINANCE.
17. THE CONTRACTOR SHALL NOT DEVIATE FROM THESE PLANS AND SPECIFICATIONS WITHOUT THE PRIOR WRITTEN CONSENT OF THE ENGINEER.

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 INCH = 20 FEET

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CRAIG
3-9-25

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION
3-19-25	AJC	2	REVISIONS PER TOB
1-28-25	AJC	1	REVISIONS PER TOB

SITE PLAN

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-3
SHEET NO.	3 OF 14

STORMWATER DRAINAGE STRUCTURE SCHEDULE

STRUCTURE NUMBER	STRUCTURE TYPE	GRATE / RIM / THROAT ELEV.	INV. IN ELEVATION	INV. OUTLET ELEVATION
1	15" PIPE	- -	3140.25'	- -
2	15" PIPE	- -	- -	3138.00'
3	OCS (SEE DETAIL)	3140.00'	3138.00'	3136.00'
4	JB	3139.00'± (MATCH EX. GRADE)	3134.60'	3134.60'
5	YD	3146.0±'	- -	3144.5±'
6	6" PIPE	- -	- -	3142.0±'
	- -	- -	- -	- -

STORMWATER DRAINAGE PIPE SCHEDULE

PIPE NUMBER	MATERIAL	LENGTH	DIAMETER	SLOPE
1 - 2	HDPE	53'	15"	4.25%
2 - 3	HDPE	10'	15"	14.00%
4 - 5	HDPE	74'	6"	1.00% MIN.

STORMWATER DRAINAGE PIPE NOTES:

1. HIGH DENSITY POLYETHYLENE (HDPE) PIPE SHALL BE DUAL WALL WITH SMOOTH INTERIOR. PIPE MUST MEET AASHTO M294.
2. ALL STORM DRAINAGE PIPES SHALL HAVE 1' MINIMUM COVER MEASURED FROM FINISHED GRADE.

STORMWATER DRAINAGE STRUCTURE NOTES:

JB - JUNCTION BOX - NC DOT STD. DWG. 840.34 OR 840.52 WITH MANHOLE FRAME & COVER PER NC DOT STD. DWG 840.54. ADJUST COVER ELEVATIONS AS NECESSARY TO MATCH FINAL GRADE.

YD - YARD DRAIN - MINIMUM 15" DIAM. ADS NYLOPLAST DRAIN WITH METAL GRATE OR APPROVED EQUAL. PLACE IN LOW AREA TO DRAIN WATER FROM BEHIND THE BUILDING.

OCS - DETENTION POND OUTLET CONTROL STRUCTURE - SEE DETAIL ON SHEET C-11.

ALL DRAINAGE STRUCTURES GREATER THAN 42" DEEP SHALL HAVE STEPS INSTALLED IN STRUCTURE AS PER NCDOT STD. DWG. 840.66.

STORMWATER DRAINAGE GENERAL NOTES:

1. THE STORMWATER COLLECTION SYSTEM PIPE AND DETENTION POND ON THE SITE HAVE BEEN DESIGNED FOR A 25-YEAR, 24-HOUR STORM EVENT WITH A 5-MINUTE TIME OF CONCENTRATION (RAINFALL DEPTH = 8.06 INCHES). PEAK DISCHARGE CALCULATIONS HAVE BEEN PERFORMED USING THE SCS METHOD FOR A TYPE II STORM DISTRIBUTION USING HYDRAFLOW HYDROGRAPHS. THE STORMWATER PIPE HAS BEEN DESIGNED USING HYDRAFLOW EXPRESS. THE STORMWATER DETENTION SYSTEM HAS BEEN DESIGNED AS REQUIRED BY ARTICLE 21.03.09 OF THE TOWN OF BOONE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO ENSURE THE 25-YEAR, 24-HOUR POST DEVELOPMENT PEAK DISCHARGE RATE FOR THE SITE DOES NOT EXCEED THE 25-YEAR, 24-HOUR PRE-DEVELOPMENT PEAK DISCHARGE RATE. STORMWATER DETENTION POND INFLOW-OUTFLOW CALCULATIONS HAVE BEEN PERFORMED USING HYDRAFLOW HYDROGRAPHS.
2. STORMWATER DRAINAGE DESIGN CONFORMS TO THE STANDARDS AND SPECIFICATIONS AS PROVIDED IN THE TOWN OF BOONE UDO.
3. ALL STORMWATER DRAINAGE STRUCTURES AND PIPES SHALL CONFORM TO THE LATEST NCDOT DETAILS AND STANDARDS.
4. ALL PIPE LENGTHS SHOWN ON THE STORMWATER DRAINAGE PIPE SCHEDULE ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE ACTUAL FIELD LENGTH.
5. ALL ROOF DRAIN DOWNSPOUTS AND LEADERS SHALL BE DIRECTED TOWARD THE STORMWATER DETENTION POND. ROOF DRAINS IN THE BACK OF THE BUILDING MAY BE TIED INTO THE YARD DRAIN.
6. ANY ACCUMULATED SOIL IN THE STORMWATER DRAINAGE WAY OR POND SHALL BE REMOVED PRIOR TO FINAL INSPECTION AND CERTIFICATION.

GRADING GENERAL NOTES:

1. ALL EXISTING FIELD CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT SITE ENGINEER AND OWNER IMMEDIATELY IF ANY DISCREPANCIES ARE NOTICED.
2. IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY THE LOCATION AND ELEVATION OF THE TBM (TEMPORARY BENCHMARK) PRIOR TO STARTING CONSTRUCTION. CONTACT SURVEYOR AS NECESSARY.
3. CONTRACTORS SURVEYOR TO STAKE ALL PARKING LOT CORNERS PRIOR TO CONSTRUCTION. CONTRACTOR TO CONTACT SURVEYOR TO APPROVE PRIOR TO STARTING BUILDING CONSTRUCTION.
4. ALL A.D.A. PARKING SPACES SHALL BE GRADED TO HAVE A MAXIMUM IN ANY DIRECTION OF 2% (1:48).
5. ALL A.D.A. ACCESSIBLY ROUTES SHALL BE GRADED TO HAVE A MAXIMUM LONGITUDINAL SLOPE OF 5% (1:20) AND A MAXIMUM CROSS-SLOPE OF 2% (1:48).
6. ALL A.D.A. CURB RAMPS SHALL BE GRADED TO HAVE A MAXIMUM LONGITUDINAL SLOPE OF 8.33% (1:12) AND A MAXIMUM CROSS-SLOPE OF 2% (1:48). ALL A.D.A. CURB RAMPS SHALL HAVE A MINIMUM 4 FOOT BY 4 FOOT LANDING AT THE TOP AND BOTTOM OF THE RAMP WITH A MAXIMUM LONGITUDINAL AND CROSS-SLOPE OF 2% (1:48) FOR PEDESTRIANS TO PERFORM MANEUVERS. ALL A.D.A. CURB RAMPS SHALL BE SLOPED TO DRAIN TO CURB.
7. MAXIMUM SLOPE IN ANY PARKING SPACE SHALL BE 5%.
8. ALL FILL/CUT SLOPES ON THE SITE SHALL BE 2H:1V OR AS INDICATED ON THE PLAN.
9. THE CONTRACTOR SHALL GRADE AROUND ALL LANDSCAPE ISLANDS TO PROVIDE POSITIVE DRAINAGE AROUND THE ISLAND AT MINIMUM 1% SLOPE.

GRADING LEGEND

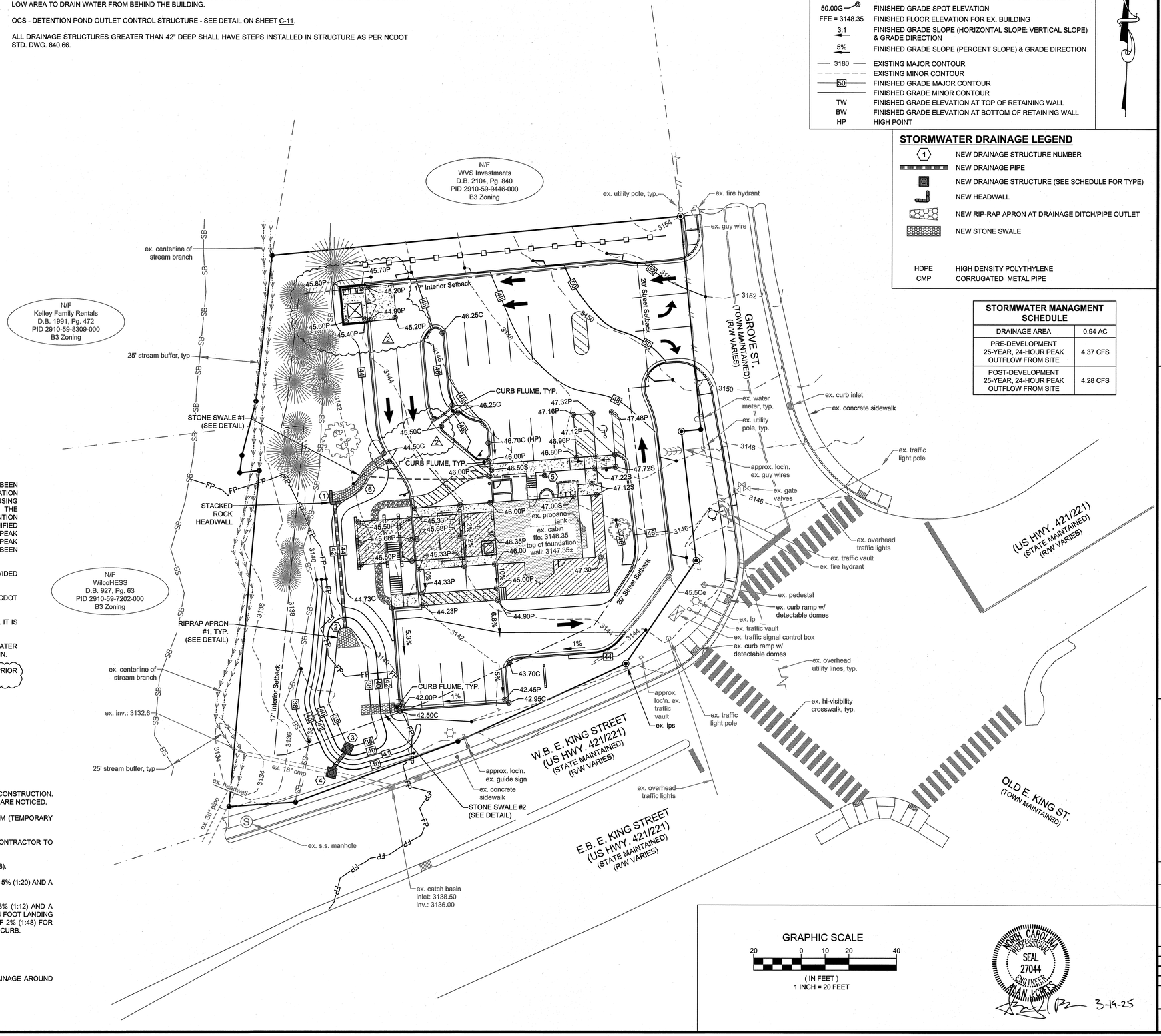
50.00e	Existing Finished Grade Elevation
50.00P	FINISHED GRADE SPOT ELEVATION TOP OF NEW PAVEMENT
50.00C	FINISHED GRADE SPOT ELEVATION TOP OF NEW CURB
50.00S	FINISHED GRADE SPOT ELEVATION TOP OF NEW SIDEWALK
50.00G	FINISHED GRADE SPOT ELEVATION
FFE = 3148.35	FINISHED FLOOR ELEVATION FOR EX. BUILDING
3:1	FINISHED GRADE SLOPE (HORIZONTAL SLOPE: VERTICAL SLOPE) & GRADE DIRECTION
5%	FINISHED GRADE SLOPE (PERCENT SLOPE) & GRADE DIRECTION
3180	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
50	FINISHED GRADE MAJOR CONTOUR
	FINISHED GRADE MINOR CONTOUR
TW	FINISHED GRADE ELEVATION AT TOP OF RETAINING WALL
BW	FINISHED GRADE ELEVATION AT BOTTOM OF RETAINING WALL
HP	HIGH POINT

STORMWATER DRAINAGE LEGEND

1	NEW DRAINAGE STRUCTURE NUMBER
	NEW DRAINAGE PIPE
	NEW DRAINAGE STRUCTURE (SEE SCHEDULE FOR TYPE)
	NEW HEADWALL
	NEW RIP-RAP APRON AT DRAINAGE DITCH/PIPE OUTLET
	NEW STONE SWALE
HDPE	HIGH DENSITY POLYTHYLENE
CMP	CORRUGATED METAL PIPE

STORMWATER MANAGMENT SCHEDULE

DRAINAGE AREA	0.94 AC
PRE-DEVELOPMENT 25-YEAR, 24-HOUR PEAK OUTFLOW FROM SITE	4.37 CFS
POST-DEVELOPMENT 25-YEAR, 24-HOUR PEAK OUTFLOW FROM SITE	4.28 CFS



GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 INCH = 20 FEET

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER DAN KREES

3-19-25

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREWERY
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION
3-19-25	AJC	2	MINOR GRADING ADJUSTMENTS - SEE
1-28-25	AJC	1	REVISIONS PER TOB

GRADING & STORM WATER DRAINAGE PLAN

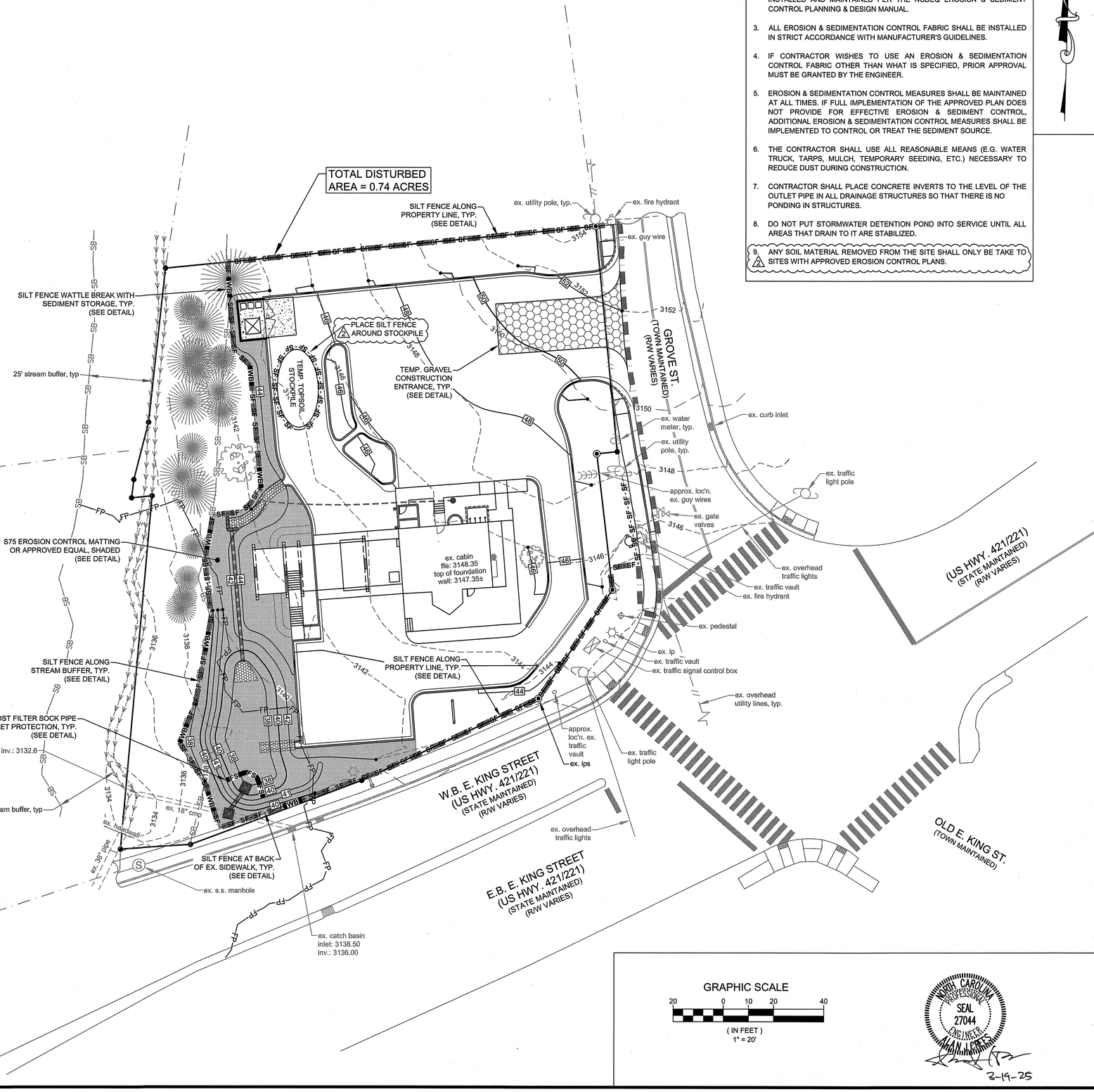
SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-4
SHEET NO.	4 OF 14

CONSTRUCTION SEQUENCE

1. PRIOR TO ANY GROUND DISTURBING ACTIVITIES, CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES. CALL 811.
2. SCHEDULE PRE-CONSTRUCTION MEETING WITH TOWN OF BOONE PLANNING & INSPECTIONS DEPARTMENT (828-268-6960).
3. BEGIN CLEARING & GRUBBING WORK FOR THE INSTALLATION OF THE INITIAL EROSION & SEDIMENT CONTROL MEASURES FOR THE SITE, INCLUDING TEMPORARY GRAVEL CONSTRUCTION ENTRANCE, SILT FENCE AND SILT FENCE WATTLE BREAKS AS SHOWN ON THIS PLAN. INSTALL SILT FENCE AROUND TOPSOIL STOCKPILE AREA AND ANY ADDITIONAL STOCKPILE AREAS ON THE SITE.
4. REMOVE THE EXISTING TREES AS INDICATED ON THE TREE REMOVAL PLAN AND BEGIN ROUGH GRADING WORK ON THE SITE. INSTALL THE STORMWATER DRAINAGE STRUCTURES AND PIPES AS THE GRADING WORK IS BEING ACCOMPLISHED. INSTALL SPECIFIED INLET PROTECTION MEASURES FOR THE STORMWATER STRUCTURES THE SAME DAY THE STRUCTURE IS INSTALLED. AS SOON AS GRADING IS COMPLETE FOR THE STORMWATER POND AND ALL GRADED SLOPES ALONG THE STREAM BUFFER IS COMPLETE, IMMEDIATELY STABILIZE THE SLOPES WITH THE SPECIFIED EROSION CONTROL MATTING AND AT LEAST TEMPORARY SEEDING AS PER THE SPECIFICATIONS ON SHEET C-12. WHEN GRADING IS COMPLETE ON A PORTION OR ALL THE DRIVEWAY OR PARKING LOT IS COMPLETE, STABILIZE THE DISTURBED AREA WITH MINIMUM 4" COMPACTED AGGREGATE BASE COURSE. WHEN GRADING WORK FOR LANDSCAPED AREAS ADJACENT TO THE BUILDING PAD, DRIVEWAY OR PARKING LOT IS COMPLETE, STABILIZE THE AREA AS PER THE TEMPORARY SEEDING SPECIFICATIONS ON SHEET C-12.
5. THE ANGLE FOR GRADED SLOPES AND FILLS SHALL BE NO GREATER THAN THE ANGLE THAT CAN BE RETAINED BY VEGETATIVE COVER OR OTHER ADEQUATE EROSION AND SEDIMENTATION CONTROL DEVICES OR STRUCTURES. IN ANY EVENT, SLOPES LEFT EXPOSED WILL, WITHIN 7 OR 14 CALENDAR DAYS OF COMPLETION OF ANY PHASE OF GRADING, BE PLANTED OR OTHERWISE PROVIDED WITH TEMPORARY GROUND COVER, DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION. THE TIME DURATION IN CALENDAR DAYS WILL BE DETERMINED IN ACCORDANCE WITH THE NEW STABILIZATION TIME FRAMES CHART SHOWN ON SHEET C-12.
6. ALL EROSION & SEDIMENT CONTROL MEASURES SHALL BE INSPECTED AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAIN EVENT ≥ 1" OF RAIN IN 24 HOURS. REPAIR IMMEDIATELY ANY DAMAGE TO EROSION & SEDIMENT CONTROL MEASURES. SEE EROSION & SEDIMENT CONTROL DETAILS SHEETS C-12 & C-13 FOR SPECIFIC MAINTENANCE REQUIREMENTS FOR EACH EROSION & SEDIMENT CONTROL MEASURE SHOWN ON THE PLANS. ALL MEASURE SHALL BE MAINTAINED UNTIL ALL DISTURBED AREAS HAVE BEEN STABILIZED AND PERMANENT GROUND COVER ESTABLISHED.
7. PERMANENT GROUND COVER SHALL BE ESTABLISHED WITHIN 15 WORKING DAYS OR NO MORE THAN 90 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING THE COMPLETION OF CONSTRUCTION).
8. ONCE THE GRADING WORK FOR ALL AREAS DRAINING TO THE STORMWATER DETENTION POND IS COMPLETE AND ALL THE DISTURBED AREAS HAVE PERMANENTLY STABILIZED WITH THE APPROPRIATE GROUND COVER, REMOVE ANY ACCUMULATED SEDIMENT IN THE POND AND THE COMPOST FILTER SOCK PIPE INLET PROTECTION AT THE OUTLET CONTROL STRUCTURE. IMMEDIATELY STABILIZE ANY AREAS IN THE POND WHERE SEDIMENT IS REMOVED WITH THE SPECIFIED EROSION CONTROL MATTING AND ESTABLISH PERMANENT SEEDING AS PER THE SPECIFICATIONS ON SHEET C-12.
9. ONCE PERMANENT STABLE GROUND COVER HAS BEEN ESTABLISHED FOR ALL AREAS WITHIN THE STORMWATER DETENTION POND, THE REMAINING EROSION AND SEDIMENT CONTROL MEASURES (TEMPORARY GRAVEL CONSTRUCTION ENTRANCE, SILT FENCE AND SILT FENCE WATTLE BREAKS) MAY BE REMOVED. IMMEDIATELY STABILIZE AND ESTABLISH PERMANENT STABLE GROUND COVER ON ALL AREAS WHERE THESE EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN REMOVED.
10. APPLY TOP DRESSING 6 MONTHS AFTER INITIAL PERMANENT SEEDING ESTABLISHMENT IN ACCORDANCE WITH SPECIFICATIONS.

CONSTRUCTION NOTES

1. REFER TO SITE WORK SPECIFICATIONS FOR GRADING, COMPACTING, DRAINAGE AND SEDIMENT & EROSION CONTROL.
2. ALL EROSION & SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED PER THE NCDEQ EROSION & SEDIMENT CONTROL PLANNING & DESIGN MANUAL.
3. ALL EROSION & SEDIMENTATION CONTROL FABRIC SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
4. IF CONTRACTOR WISHES TO USE AN EROSION & SEDIMENTATION CONTROL FABRIC OTHER THAN WHAT IS SPECIFIED, PRIOR APPROVAL MUST BE GRANTED BY THE ENGINEER.
5. EROSION & SEDIMENTATION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION & SEDIMENT CONTROL, ADDITIONAL EROSION & SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
6. THE CONTRACTOR SHALL USE ALL REASONABLE MEANS (E.G. WATER TRUCK, TARPS, MULCH, TEMPORARY SEEDING, ETC.) NECESSARY TO REDUCE DUST DURING CONSTRUCTION.
7. CONTRACTOR SHALL PLACE CONCRETE INVERTS TO THE LEVEL OF THE OUTLET PIPE IN ALL DRAINAGE STRUCTURES SO THAT THERE IS NO PONDING IN STRUCTURES.
8. DO NOT PUT STORMWATER DETENTION POND INTO SERVICE UNTIL ALL AREAS THAT DRAIN TO IT ARE STABILIZED.
9. ANY SOIL MATERIAL REMOVED FROM THE SITE SHALL ONLY BE TAKE TO SITES WITH APPROVED EROSION CONTROL PLANS.



EROSION & SEDIMENT CONTROL LEGEND

- PROP. GRADING LIMITS OF DISTURBANCE
- SF - SF - SF - SF — TEMP. SILT FENCE
- TEMP. TREE PROTECTION FENCE
- WB — TEMP. SILT FENCE WATTLE BREAK
- FS — TEMP. FILTER SOCK
- TEMP. GRAVEL CONSTRUCTION ENTRANCE
- 2:1 — FINISHED GRADE SLOPE (HORIZONTAL SLOPE:VERTICAL SLOPE)
- TEMP. RIPRAP APPRON
- AREAS REQUIRING 7-DAY STABILIZATION/GROUND COVER

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1" = 20'

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CRISP

3-19-25

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION
1-28-25	AJC	2	REVISIONS PER TOB
3-19-25	AJC	1	REVISIONS PER TOB

EROSION & SEDIMENTATION CONTROL PLAN

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-5
SHEET NO.	5 OF 14

LIGHTING FIXTURE SCHEDULE

MARK	Total Number	DESCRIPTION	MAUFACTURER/ SERIES	TEMP(oK)	LAMPS	VOLTS	DELIVERED LUMENS	WATTS	COLOR	MOUNTING HEIGHT
A	6	EVOLVE EALS SERIES	GE CURRENT	3000	LEDs	120	11,200	101	DARK BRONZE	25'
B	5	LED LIGHT BULB IN FULL CUTOFF FIXTURES		3000	LEDs	120	1600	100		8'

TOWN OF BOONE LIGHTING STANDARDS		
AREA:	MINIMUM (FC)	MAXIMUM (FC)
BUILDING ENTRIES	1	10
PARKING AREAS/ PEDESTRIAN AREAS/ SIDEWALKS	0.4	6
SITE PERMITER		0.5
ALL OTHER ON-SITE LIGHTING		10

PHOTOMETRIC RESULTS		
AREA:	MINIMUM (FC)	MAXIMUM (FC)
PROP. PERIMETER LINE (NOT INCL. STREETS)	0	2.5*
PARKING AREAS/ PEDESTRIAN AREAS/ SIDEWALKS	0.5	4.2

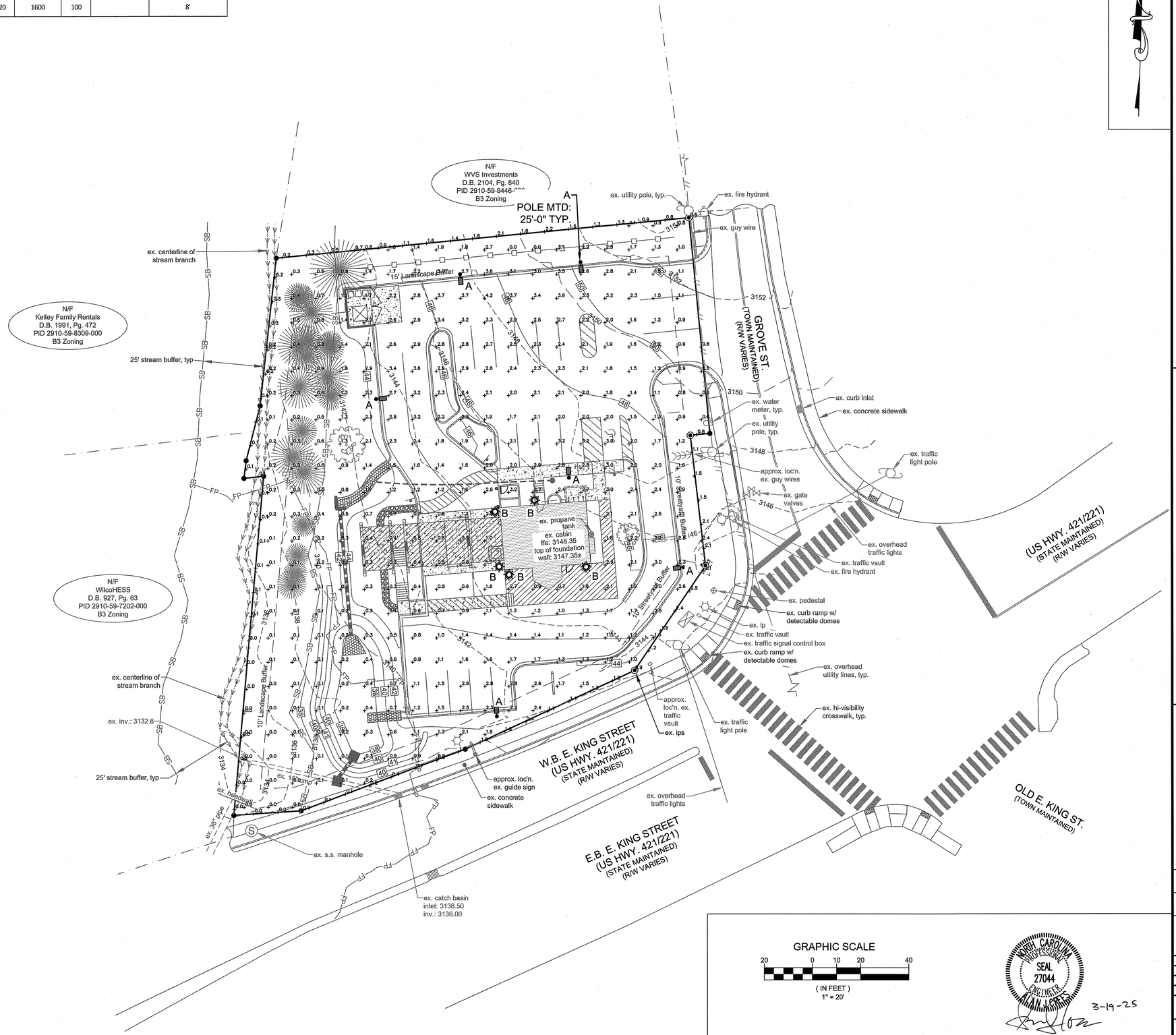
* TYPE V BACKSHIELD NOT AVAILABLE FOR PHOTOMETRIC MODEL. PROPOSED BACKSHIELD IS FULL CUTOFF 12.5' BEHIND LIGHT FIXTURE. THEREFORE, THERE WILL BE LESS THAN 0.5 FOOT-CANDLES AT PROPERTY LINE.

LIGHTING NOTES:

1. ALL FIXTURES TO BE FULL CUTOFF OR NIGHT SKY COMPLIANT.
2. UTILITY TO CONFIRM MOUNTING POLE HEIGHT. MOUNTING STRUCTURAL ENGINEERING BY OTHERS.
3. CONTRACTOR TO CONFIRM VOLTAGE, DIMMING, CONTROLS, MOUNTING ARM, FIXTURE COLOR AND ANY FURTHER OPTIONS.

SPECIAL NOTES FOR APPROVAL:

1. ENGINEER SHALL MEASURE LIGHT LEVELS AFTER INSTALLATION AND PROVIDE CERTIFICATION TO THE TOWN OF BOONE.
2. TYPE V BACKSHIELD NOT AVAILABLE FOR PHOTOMETRIC MODEL. PROPOSED BACKSHIELD IS FULL CUTOFF 12.5' BEHIND LIGHT FIXTURE



GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1" = 20'

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CREES

3-19-25

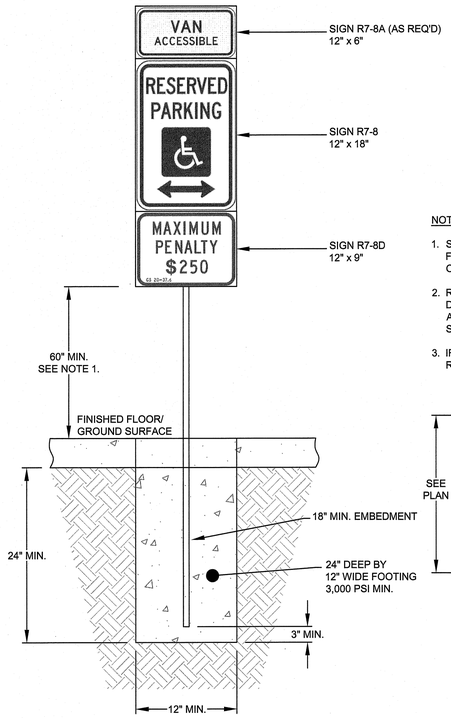
MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION
3-19-25	AJC	2	REVISIONS PER REVISED ORDINANCE

PHOTOMETRIC PLAN

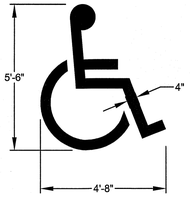
SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-7
SHEET NO.	7 OF 14



SIGN POST

NOTES:

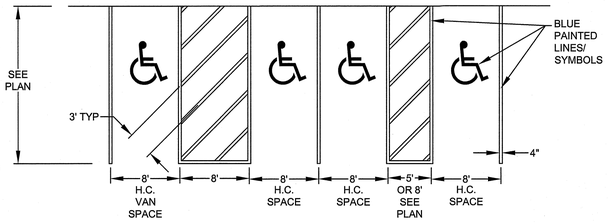
1. SIGNS SHALL BE 60 INCHES MINIMUM ABOVE THE FINISH FLOOR OR GROUND SURFACE MEASURED TO THE BOTTOM OF THE SIGN.
2. REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, (MUTCD) U.S. DEPARTMENT OF TRANSPORTATION AND NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SUPPLEMENT.
3. IF ACCESSIBLE ROUTE IS A RAISED SIDEWALK AREA, THEN RAMPS ARE REQUIRED AT LOADING ZONE AREA.



HANDICAP SYMBOL

NOTE:

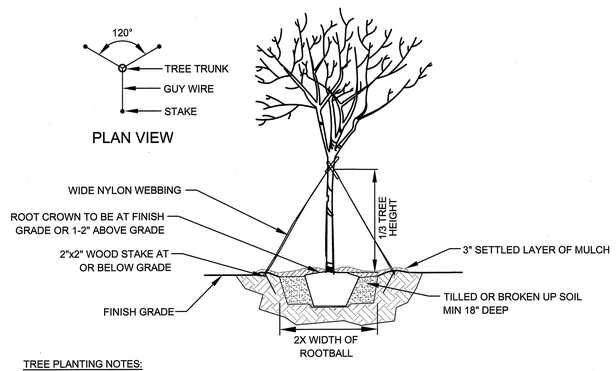
PAINT SYMBOL BELOW ONTO PAVED SURFACE WITH 2 COATS OF BLUE PAINT



PLAN

TYPICAL ACCESSIBLE PARKING LAYOUT & SIGNAGE

NOT TO SCALE

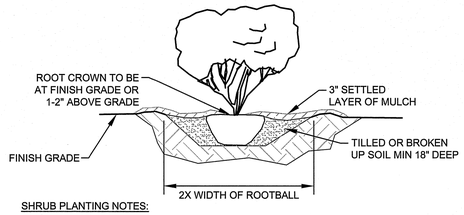


TREE PLANTING NOTES:

1. DIG THE PLANTING HOLE A MINIMUM OF 2x WIDTH OF ROOTBALL FOR AT LEAST THE FIRST 18 INCHES OF DEPTH. BELOW 18 INCHES, DIG HOLE WIDE ENOUGH TO PERMIT ADJUSTING. DO NOT DIG THE HOLE DEEPER THAN ROOT BALL DEPTH.
2. SCARIFY THE SUBGRADE AND SIDES OF THE PLANTING HOLE WHEN PLANTING IN CLAY SOILS (MORE THAN 15% CLAY).
3. LIFT AND SET THE TREE BY ROOT BALL ONLY. DO NOT LIFT USING THE TREE TRUNK AND DO NOT USE TREE TRUNK AS A LEVER.
4. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE OR SLIGHTLY HIGHER IF THE SOIL IS PRONE TO SETTLING.
5. AFTER THE TREE IS SET IN PLACE, REMOVE BURLAP, WIRE AND STRAPS FROM AT LEAST THE UPPER 1/3 OF THE ROOTBALL.
6. BACKFILL WITH EXISTING SOIL THAT HAS BEEN WELL-TILLED OR BROKEN UP. AMEND THE SURFACE WITH MULCH.
7. USE THREE 2" X 2" WOOD STAKES DRIVEN INTO UNDISTURBED SOIL A MINIMUM OF 16 INCHES. SPACE STAKES EQUALLY AROUND THE TREE.
8. ATTACH 3/4" NYLON WEBBING TO CONNECT THE TREE TO STAKES. ATTACH WEBBING AT 1/3 THE TREE HEIGHT.
9. APPLY 3" (SETTLED) DEPTH OF SHREDDED HARDWOOD MULCH TO THE PLANTING SURFACE. LEAVE A 2" SPACE AROUND THE TRUNK FOR AIR CIRCULATION.
10. REMOVE ANY TRUNK WRAP REMAINING AT TIME OF PLANTING. NO WRAPS SHALL BE PLACED ON TRUNK.

TREE PLANTING DETAIL

NOT TO SCALE

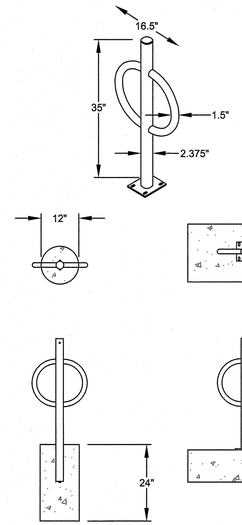


SHRUB PLANTING NOTES:

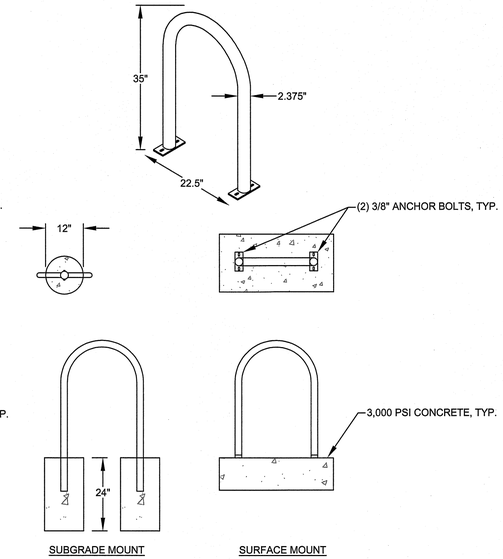
1. DIG PLANTING HOLE AT LEAST 2X THE WIDTH OF THE ROOT BALL OR CONTAINER.
2. SCARIFY SUBGRADE AND SIDES OF PLANTING HOLE WHEN PLANTING IN CLAY SOIL.
3. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE, OR 1-2" ABOVE IF THE SOIL IS PRONE TO SETTLING.
4. IF CONTAINER GROWN PLANT, GENTLY SLIDE PLANT OUT OF CONTAINER. DISTURB THE ROOTS.
5. IF B&B PLANT, REMOVE BURLAP FROM AT LEAST THE TOP 12 INCHES OF THE ROOTBALL, WITHOUT DISTURBING THE ROOTBALL. REMOVE ALL CORD FROM THE TRUNK. REMOVE BURLAP AND WIRE BASKET (IF PRESENT) FROM THE ROOT BALL.
6. BACK FILL THE PLANTING HOLE WITH EXCAVATED NATIVE SOIL, BROKEN UP OR TILLED. WATER TO REMOVE AIR POCKETS.
7. PLACE SHREDDED HARDWOOD MULCH ON THE SURFACE TO A (SETTLED) DEPTH OF 3 INCHES.

SHRUB PLANTING DETAIL

NOT TO SCALE



BIKE HITCH OPTION



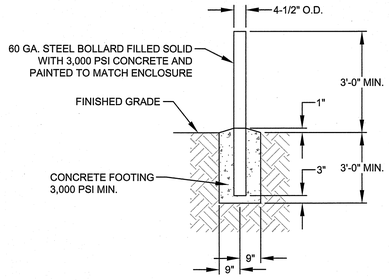
LOOP RACK OPTION

NOTES

1. PIPE MATERIAL SHALL BE 2" HOT DIP GALVANIZE SCHEDULE 40 SEAMLESS PIPE (UNLESS OTHERWISE NOTED OR APPROVED) FURNISHED AND INSTALLED BY GENERAL CONTRACTOR.
2. BIKE RACK SHALL BE POWDER COATED OR OTHERWISE PRIMED PAINTED WITH INDUSTRIAL OIL BASED ENAMEL. COLOR TO BE DETERMINE BY OWNER.
3. REFER TO TOWN OF BOONE UDO FOR ADDITIONAL INFORMATION AND REQUIREMENTS.

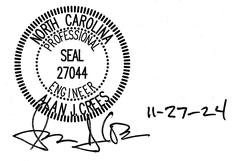
BIKE RACK DETAILS

NOT TO SCALE



4" BOLLARD DETAIL

NOT TO SCALE



11-27-24

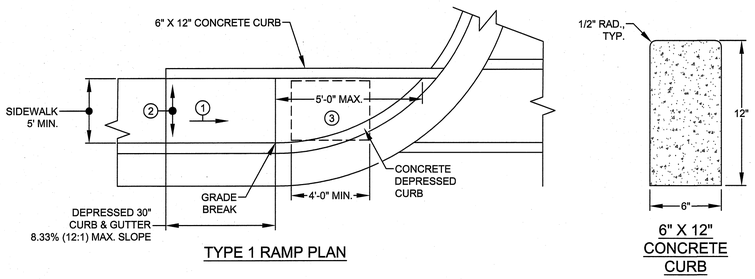
MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION

SITE DETAIL SHEET #1

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-8
SHEET NO.	8 OF 14



TYPE 1 RAMP PLAN

6" X 12"
CONCRETE
CURB

NOTES: (DETAIL COPIED FROM NCDOT STD. DWG. 848.05 AND ALTERNATIVE CURB RAMPS DRAWING 1 OF 4)

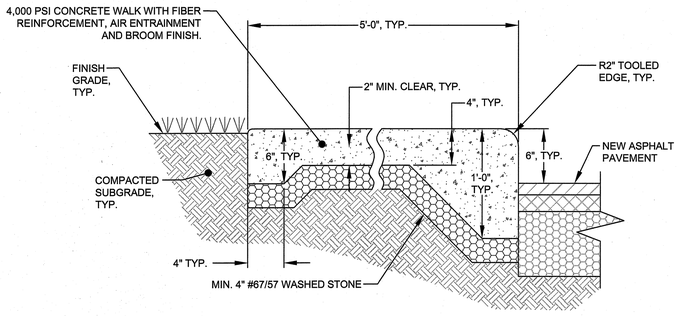
(1) 8.33% (12:1) MAX. RAMP SLOPE.

(2) CROSS SLOPE: 2.00%

(3) CURB RAMPS REQUIRE A (4'-0") MINIMUM LANDING WITH A MAXIMUM CROSS SLOPE AND LONGITUDINAL SLOPE OF 2.00% WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SLOPE TO DRAIN TO CURB.

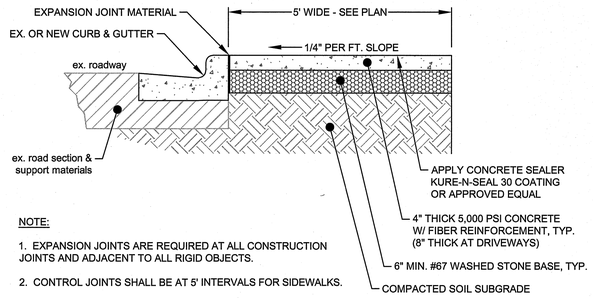
NC DOT TYPE 1 DIRECTIONAL CURB RAMP

NOT TO SCALE



TURNDOWN CONCRETE SIDEWALK TYPICAL SECTION

NOT TO SCALE



NOTE:

1. EXPANSION JOINTS ARE REQUIRED AT ALL CONSTRUCTION JOINTS AND ADJACENT TO ALL RIGID OBJECTS.

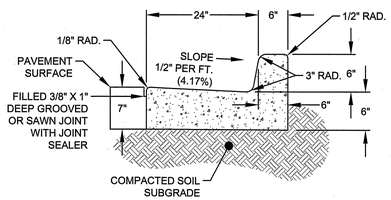
2. CONTROL JOINTS SHALL BE AT 5' INTERVALS FOR SIDEWALKS.

3. COORDINATE CONSTRUCTION SCHEDULE AND INSPECTIONS WITH THE TOWN OF BOONE PUBLIC SERVICES DEPARTMENT (828-268-6230)

NEW SIDEWALK ALONG ROADWAY TO BE MAINTAINED BY TOWN OF BOONE

NOT TO SCALE

MULE-FORMED OR MACHINE FORMED CONCRETE CURB AND GUTTER (NO MONOLITHIC CURB)



NOTES: (DETAIL COPIED FROM NCDOT STD. 846.01)

PLACE CONTRACTION JOINTS AT 10' INTERVALS, EXCEPT THAT A 15' SPACING MAY BE USED WHEN A MACHINE IS USED OR WHEN SATISFACTORY SUPPORT FOR THE FACE FORM CAN BE OBTAINED WITHOUT THE USE OF TEMPLATES AT 10' INTERVALS.

JOINT SPACING MAY BE ALTERED IF REQUIRED BY THE ENGINEER.

CONTRACTION JOINTS MAY BE INSTALLED WITH THE USE OF TEMPLATES OR FORMED BY OTHER APPROVED METHODS.

CONSTRUCT NON-TEMPLATE FORMED JOINTS A MIN. OF 1 1/2 " DEEP.

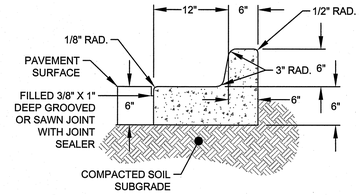
FILL ALL CONSTRUCTION JOINTS, EXCEPT IN 8" X 6" MEDIAN CURB WITH JOINT FILLER AND SEALER.

SPACE EXPANSION JOINTS AT 90' INTERVALS AND ADJACENT TO ALL RIGID OBJECTS.

NC DOT 30" HIGH BACK CURB AND GUTTER

NOT TO SCALE

MULE-FORMED OR MACHINE FORMED CONCRETE CURB AND GUTTER (NO MONOLITHIC CURB)



NOTES: (DETAIL COPIED FROM NCDOT STD. 846.01)

PLACE CONTRACTION JOINTS AT 10' INTERVALS, EXCEPT THAT A 15' SPACING MAY BE USED WHEN A MACHINE IS USED OR WHEN SATISFACTORY SUPPORT FOR THE FACE FORM CAN BE OBTAINED WITHOUT THE USE OF TEMPLATES AT 10' INTERVALS.

JOINT SPACING MAY BE ALTERED IF REQUIRED BY THE ENGINEER.

CONTRACTION JOINTS MAY BE INSTALLED WITH THE USE OF TEMPLATES OR FORMED BY OTHER APPROVED METHODS.

CONSTRUCT NON-TEMPLATE FORMED JOINTS A MIN. OF 1 1/2 " DEEP.

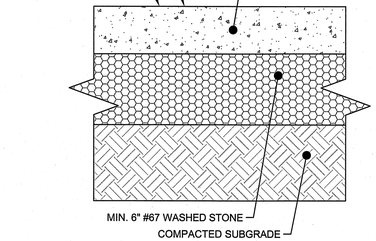
FILL ALL CONSTRUCTION JOINTS, EXCEPT IN 8" X 6" MEDIAN CURB WITH JOINT
FILLER AND SEALER.

SPACE EXPANSION JOINTS AT 90' INTERVALS AND ADJACENT TO ALL RIGID OBJECTS.

18" CURB AND GUTTER

FOR USE OUTSIDE RIGHT-OF-WAY

NOT TO SCALE



NOTES:

1. SUBGRADE AND TOP OF WASHED STONE MUST BE WITHIN 1/4" OF DESIGN DRAWINGS TO ENSURE CONSISTENT DEPTH OF CONCRETE SLAB.

2. ISOLATE CONCRETE FROM COLUMNS, WALLS, DRAINS, ETC. WITH ISOLATION JOINTS.

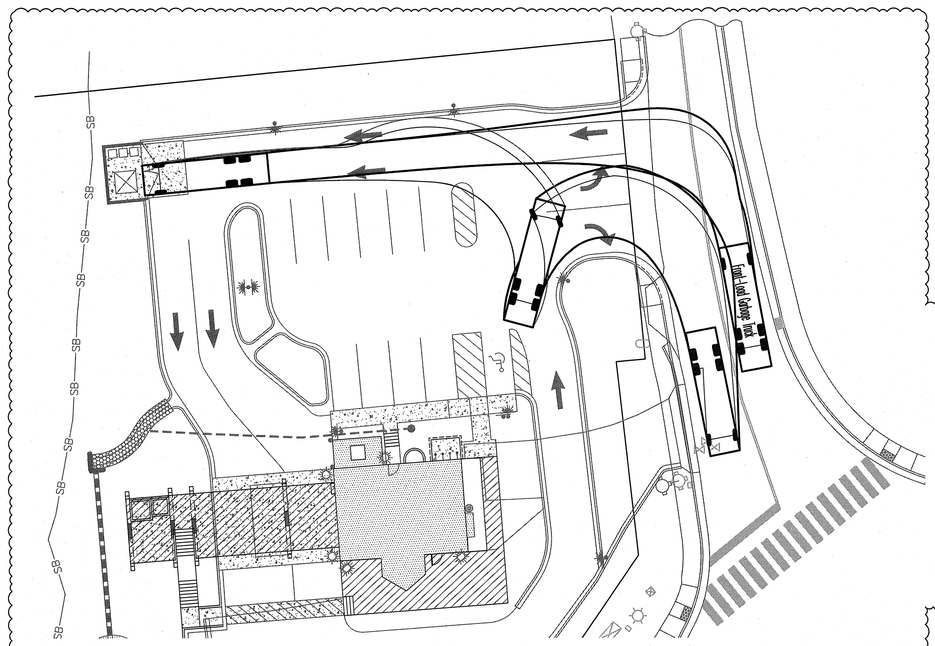
3. SAW CUT CONTRACTION JOINTS IN 12' X 12' SQUARES AND DIAGONALLY AT CORNERS. **CONTRACTOR SHALL PROVIDE ENGINEER WITH A CONTRACTION JOINT LAYOUT PLAN FOR REVIEW PRIOR TO SLAB INSTALLATION.**

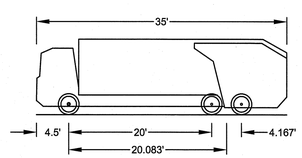
4. CONTRACTION JOINTS SHALL BE 1-1/2" DEEP AND SAW CUT INTO PAVEMENT AS SOON AS THE CONCRETE IS SUFFICIENTLY HARD TO RESIST TEARING AND RAVELING.

5. APPLY SEALING COMPOUND IS STRICT ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS AND INSTRUCTIONS.

EXTERIOR CONCRETE FLAT WORK DETAIL

NOT TO SCALE





FRONT-LOADING TRASH TRUCK

Overall Length =	35.000 ft
Overall Width =	8.375 ft
Overall Body Height =	13.800 ft
Min Body Ground Clearance =	1.000 ft
Max Track Width =	8.375 ft
Lock-to-lock time =	6.00 s
Curb to Curb Turning Radius =	32.500 ft

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CRESS

1-28-25

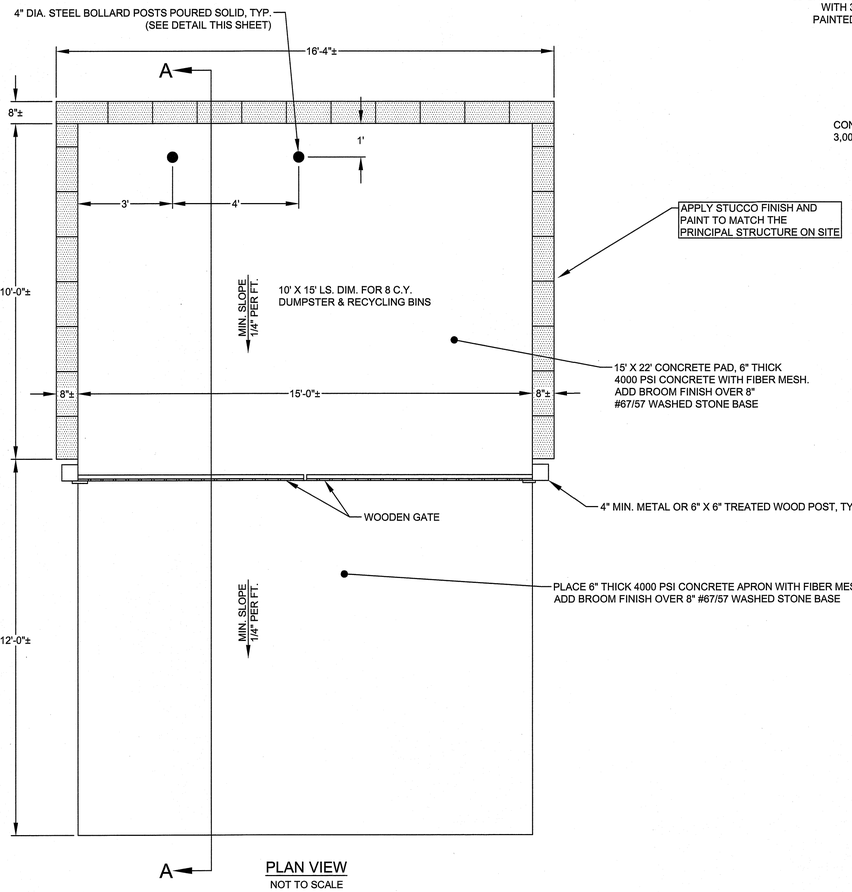
MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

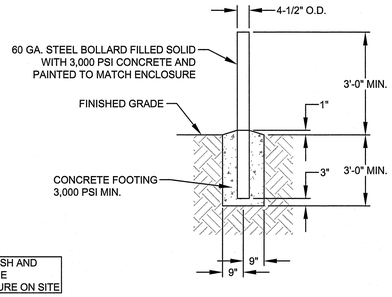
DATE	BY	REV.	DESCRIPTION
1-28-25	AJC	1	TRUCK TURNING EXHIBIT ADDED

SITE DETAIL SHEET #2

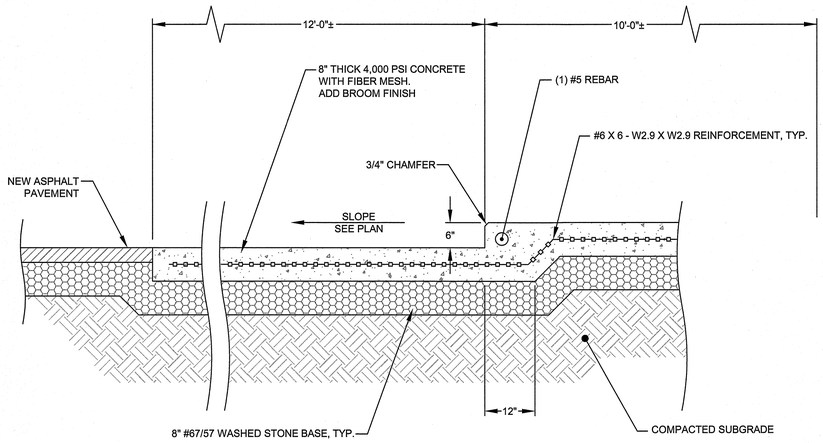
SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-9
SHEET NO.	9 OF 14



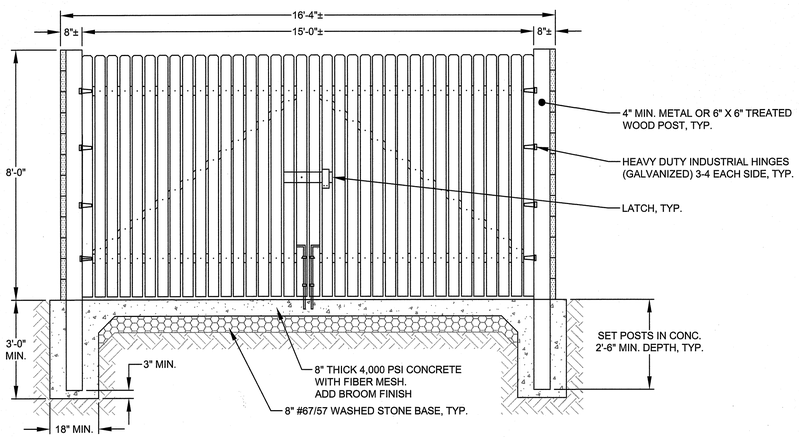
PLAN VIEW
NOT TO SCALE



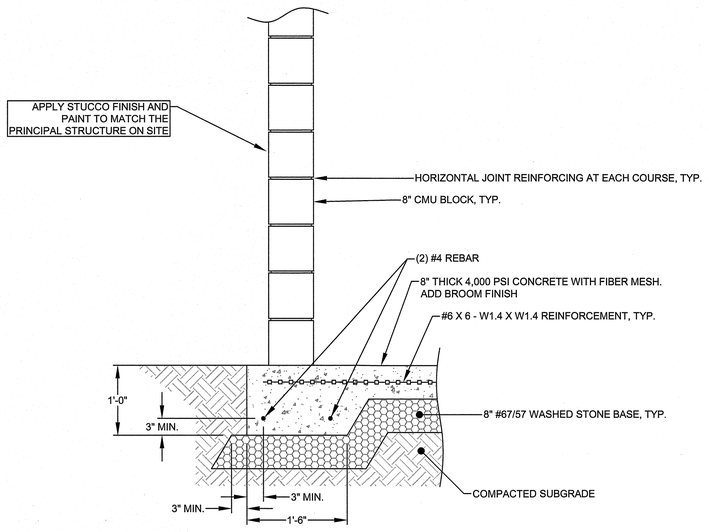
4" BOLLARD DETAIL
NOT TO SCALE



SECTION "A-A" AT DUMPSTER PAD
NOT TO SCALE



ELEVATION VIEW
NOT TO SCALE



TURN-DOWN SLAB DETAIL
FOR DUMPSTER ENCLOSURE
NOT TO SCALE

GENERAL NOTES:

1. DUMPSTER ENCLOSURE SHALL BE CMU WITH STUCCO TEXTURE AND PAINTED TO BE ARCHITECTURALLY COMPATIBLE WITH THE PRINCIPAL BUILDING ON SITE AS PER TOWN OF BOONE ORDINANCE SECTION 31.06.05.
2. HINGES IN GATES SHALL ALLOW GATES TO OPEN GREATER THAN 90°
3. GATESTOPS SHALL BE INSTALLED TO KEEP GATES FROM SWINGING BACK ONTO TRUCK.

DUMPSTER & RECYCLING ENCLOSURE DETAIL
NOT TO SCALE

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

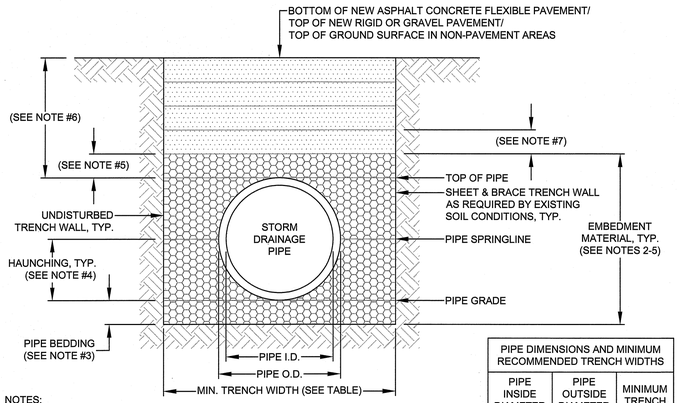
JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION

DUMPSTER ENCLOSURE
DETAIL SHEET

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CREED
11-27-24

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-10
SHEET NO.	10 OF 14



PIPE DIMENSIONS AND MINIMUM RECOMMENDED TRENCH WIDTHS		
PIPE INSIDE DIAMETER (I.D.)	PIPE OUTSIDE DIAMETER (O.D.)	MINIMUM TRENCH WIDTH
4"	4.8"	21"
6"	6.9"	23"
8"	9.1"	26"
10"	11.4"	28"
12"	14.5"	30"
15"	18"	34"
18"	22"	39"
24"	28"	47"
30"	36"	56"
36"	42"	63"
42"	48"	72"
48"	54"	80"
60"	67"	96"

NOTES:

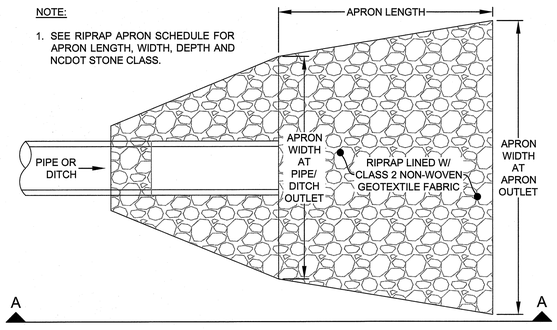
1. FOR TRENCHES REQUIRING SHORING AND BRACING, TRENCH WIDTH DIMENSIONS SHALL BE TAKEN FROM THE INSIDE FACE OF THE SHORING AND BRACING.
2. EMBEDMENT MATERIAL SHALL BE #67 WASHED STONE. EXCAVATE BEDDING UNDER EACH PIPE BELL SUFFICIENTLY TO PREVENT ANY LOAD ON BELL.
3. DEPTH OF PIPE BEDDING SHALL BE 4" MINIMUM FOR 4" TO 24" PIPE AND 6" MINIMUM FOR 30" TO 60" PIPE.
4. UNIFORM HAUNCHING OF THE EMBEDMENT STONE ON EACH SIDE OF THE TRENCH FROM TOP OF BEDDING TO PIPE SPRINGLINE IS REQUIRED FOR ALL PIPE INSTALLATIONS.
5. EMBEDMENT MATERIAL (IN PAVEMENT AREAS) SHALL BE 4" MINIMUM ABOVE TOP OF PIPE FOR 4" TO 24" DIAMETER PIPE AND 6" MINIMUM ABOVE TOP OF PIPE FOR 30" TO 60" PIPE.
6. COVER FROM TOP OF PIPE TO BOTTOM OF ASPHALT CONCRETE FLEXIBLE PAVEMENT, TOP OF RIGID OR GRAVEL PAVEMENT AND TOP OF GROUND SURFACE IN NON-PAVEMENT AREAS SHALL BE 12" MINIMUM FOR 4" TO 48" DIAMETER PIPE AND 24" MINIMUM FOR 60" PIPE.
7. BACKFILL OF TRENCHES SHALL BE ACCOMPLISHED IMMEDIATELY AFTER THE PIPE IS INSTALLED. EACH LAYER OF BACKFILL SHALL BE PLACED LOOSE IN 6" MAXIMUM LIFTS AND THOROUGHLY COMPACTED TO AT LEAST 95% OF STANDARD PROCTOR DENSITY (AASHTO TEST METHOD T-99), TYP. COMPACTION REQUIREMENTS SHALL BE ATTAINED BY THE USE OF MECHANICAL TAMPS ONLY.
8. ALL BACKFILL MATERIAL SHALL BE SUITABLE NATIVE MATERIAL.
9. UNDER NO CIRCUMSTANCES SHALL WATER BE PERMITTED TO RISE IN UNBACKFILLED TRENCHES AFTER THE PIPE HAS BEEN PLACED.

DUAL WALL HDPE TRENCH DETAIL

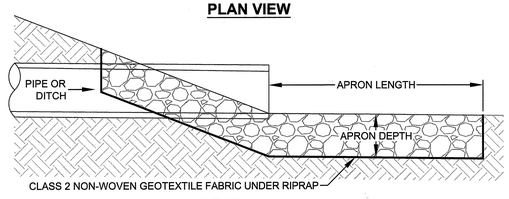
NOT TO SCALE

NOTE:

1. SEE RIPRAP APRON SCHEDULE FOR APRON LENGTH, WIDTH, DEPTH AND NCDOT STONE CLASS.



PLAN VIEW



SECTION A-A

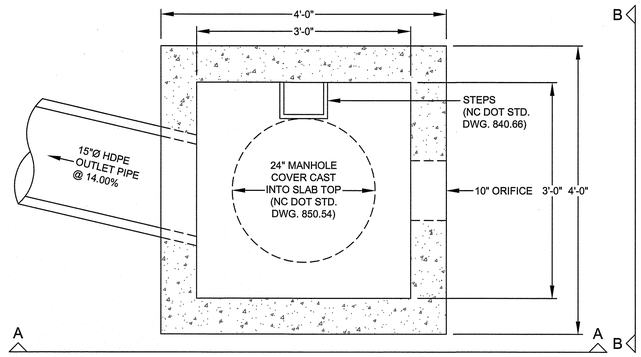
RIPRAP APRON SCHEDULE					
APRON NO.	APRON LENGTH	APRON WIDTH AT PIPE/ DITCH OUTLET	APRON WIDTH AT APRON OUTLET	MIN. APRON DEPTH	NCDOT STONE CLASS
PERMANENT RIPRAP APRONS					
1	8'	4'	10'	18"	B

MAINTENANCE REQUIREMENTS:

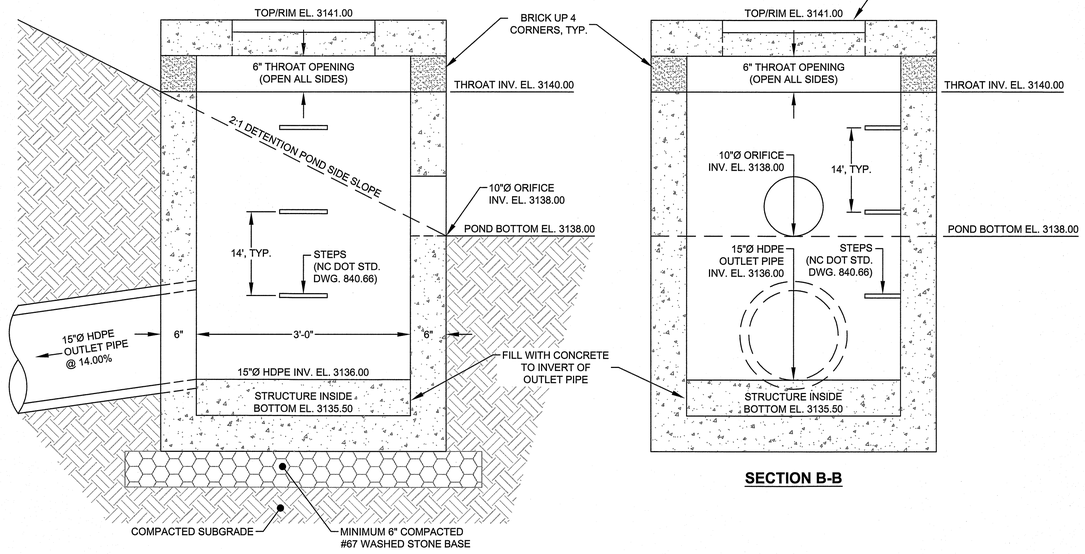
1. INSPECT RIPRAP APRONS AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT OF 1 INCH OR GREATER IN 24 HOURS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. CLEAN ANY SEDIMENT TRAPPED BY THE RIPRAP APRON AFTER EACH RAINFALL.
3. REPLACE ANY RIPRAP THAT BECOMES DISLODGED FROM APRON DURING GRADING WORK ON THE SITE.

RIPRAP APRON

NOT TO SCALE



PLAN VIEW

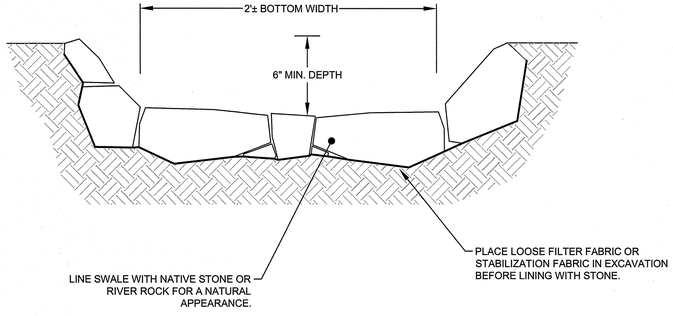


SECTION A-A

SECTION B-B

OUTLET CONTROL STRUCTURE

NOT TO SCALE



STONE SWALE DETAIL

NOT TO SCALE

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CREECH

11-27-24

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION

STORM DRAINAGE DETAILS

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-11
SHEET NO.	11 OF 14

CUT SLOPE ROUGHENING FOR AREAS NOT TO BE MOWED

STAIR-STEP GRADE OR GROOVE CUT SLOPES WITH A GRADIENT STEEPER THAN 3:1.
USE STAIR-STEP GRADING ON ANY ERODIBLE MATERIAL SOFT ENOUGH TO BE RIPPED WITH A BULLDOZER. SLOPES CONSISTING OF SOFT ROCK WITH SOME SUBSOIL ARE PARTICULARLY SUITED TO STAIR-STEP GRADING.
MAKE THE VERTICAL CUT DISTANCE LESS THAN THE HORIZONTAL DISTANCE, & SLIGHTLY SLOPE THE HORIZONTAL POSITION OF THE "STEP" IN TOWARD THE VERTICAL WALL.
DO NOT MAKE INDIVIDUAL VERTICAL CUTS MORE THAN 2 FEET IN SOFT MATERIALS OR MORE THAN 3 FEET IN ROCKY MATERIALS.
GROOVING USES MACHINERY TO CREATE A SERIES OF RIDGES & DEPRESSIONS THAT RUN ACROSS THE SLOPE (ON THE CONTOUR).
GROOVE USING ANY APPROPRIATE IMPLEMENT THAT CAN BE SAFELY OPERATED ON THE SLOPE, SUCH AS DISKS, TILLERS, SPRING HARROWS, OR THE TEETH ON A FRONT END LOADER BUCKET. DO NOT MAKE SUCH GROOVES LESS THAN 3 INCHES DEEP NOR MORE THAN 15 INCHES APART.

FILL SLOPE AREAS NOT TO BE MOWED

PLACE FILL SLOPES WITH A GRADIENT STEEPER THAN 3:1 IN LIFTS NOT TO EXCEED 9 INCHES, & MAKE SURE EACH LIFT IS PROPERLY COMPACTED. ENSURE THAT THE FACE OF THE SLOPE CONSISTS OF LOOSE, UNCOMPACTED FILL 4-6 INCHES DEEP. USE GROOVING AS DESCRIBED ABOVE, TO ROUGHEN THE FACE OF THE SLOPES, IF NECESSARY.
DO NOT BLADE OR SCRAPE THE FINAL SLOPE FACE.

CUTS FILLS & GRADED AREAS THAT WILL BE MOWED

MAKE MOWED SLOPES NO STEEPER THAN 3:1
ROUGHEN THESE AREAS TO SHALLOW GROOVES BY NORMAL TILLING, DISKING, HARROWING, OR USE OF CULTIPACK-SEEDER. MAKE THE FINAL PASS OF ANY SUCH TILLAGE IMPLEMENT ON THE CONTOUR.
MAKE GROOVES, FORMED BY SUCH IMPLEMENTS, CLOSE TOGETHER (LESS THAN 10 INCHES) & NOT LESS THAN 1 INCH DEEP.
EXCESSIVE ROUGHNESS IS UNDESIRABLE WHERE MOWING IS PLANNED.

ROUGHENING WITH TRACKED MACHINERY

LIMIT ROUGHENING WITH TRACKED MACHINERY TO SANDY SOILS TO AVOID UNDUE COMPACTION OF THE SOIL SURFACE. TRACKING IS GENERALLY NOT AS EFFECTIVE AS THE OTHER ROUGHENING METHODS DESCRIBED.
OPERATE TRACKED MACHINERY UP & DOWN THE SLOPE TO LEAVE HORIZONTAL DEPRESSIONS IN THE SOIL. DO NOT BACK-BLADE DURING THE FINAL GRADING OPERATION.

COMPLETE SEEDBED PREPARATION BY BREAKING UP LARGE CLODS & RAKING INTO A SMOOTH, UNIFORM SURFACE (SLOPES LESS THAN 3:1). FILL IN OR LEVEL DEPRESSIONS THAT CAN COLLECT WATER. BROADCAST SEED INTO A FRESHLY LOOSENED SEEDBED THAT HAS NOT BEEN SEALED BY RAINFALL.

SURFACE ROUGHENING

SEEDBED PREPARATION

1. IF RECENT TILLAGE OPERATIONS HAVE RESULTED IN A LOOSE SURFACE, ADDITIONAL SURFACE ROUGHENING MAY NOT BE REQUIRED, EXCEPT TO BREAK UP LARGE CLODS. IF RAINFALL CAUSES THE SURFACE TO BECOME SEALED OR CRUSTED, LOOSEN IT JUST PRIOR TO SEEDING BY DISKING, RAKING, HARROWING, OR OTHER SUITABLE METHODS. GROOVE OR FURROW SLOPES STEEPER THAN 3:1 ON THE CONTOUR BEFORE SEEDING. SEE OTHER REQUIREMENTS FOR SURFACE ROUGHENING ON THIS SHEET.
2. SOIL SURFACE SHALL BE WELL PULVERIZED, LOOSE AND UNIFORM.

SEEDING DATES

LATE WINTER & EARLY SPRING (FEB. 15 - MAY 15)

SPECIES	RATE (LB/ACRE)
RYE (GRAIN) AND KOREAN LESPEDEZA	120 50

OMIT LESPEDEZA WHEN DURATION OF TEMPORARY COVER IS NOT EXTENDED BEYOND JUNE 15.

SUMMER (MAY 15 - AUGUST 15)

SPECIES	RATE (LB/ACRE)
GERMAN MILLET OR TALL FESCUE	40 50

FALL (AUGUST 15 - DECEMBER 15)

SPECIES	RATE (LB/ACRE)
RYE (GRAIN)	120

SOIL AMENDMENTS

FOLLOW RECOMMENDATIONS OF SOIL TEST OR APPLY 2,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 750 LB/ACRE 10-10-10 FERTILIZER. INCREASE FERTILIZER RATE TO 1000 LB/ACRE IN THE FALL.

MULCH

APPLY 4,000-5,000 LB/ACRE STRAW. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS MULCH ANCHORING TOOL.

MAINTENANCE

REFERTILIZE IF GROWTH IS NOT FULLY ADEQUATE. RESEED, FERTILIZE AND MULCH IMMEDIATELY FOLLOWING EROSION OR OTHER DAMAGE. TOPDRESS WITH 50 LB/ACRE OF NITROGEN IN MARCH. IF IT IS NECESSARY TO EXTEND TEMPORARY COVER BEYOND JUNE 15, OVERSEED WITH 50 LB/ACRE KOREAN LESPEDEZA IN LATE FEBRUARY OR EARLY MARCH.

TEMPORARY SEEDING SCHEDULE

APPLY TOP DRESSING 6 MONTHS AFTER INITIAL SEEDING. TOP DRESSING TO CONSIST OF THE FOLLOWING:

RE-APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS. IF SOIL TESTS ARE NOT AVAILABLE, APPLY 4,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 1,000 LB/ACRE 5-10-10 FERTILIZER.

APPLY 1/2" COMPOST OR TOP SOIL TO ANY BARE SPOTS.

RE-APPLY SEED MIX TO ANY BARE OR THIN SPOTS PER THE PERMANENT SEEDING SCHEDULE OR PERMANENT FLOODPLAIN SEED MIX SPECIFICATIONS AS APPROPRIATE FOR THE AREA.

RE-MULCH BARE SPOTS THAT HAVE BEEN RE-SEEDED.

TOP DRESSING SPECIFICATIONS

SOIL TESTS

LIME AND FERTILIZER NEEDS SHOULD BE DETERMINED BY SOIL TESTS. SOIL TESTING IS PERFORMED FREE OF CHARGE BY THE NC DEPT. OF AGRICULTURE. SOIL TESTING LABORATORY. DIRECTIONS, SAMPLE CARTONS, AND INFORMATION ARE AVAILABLE THROUGH COUNTY AGRICULTURAL EXTENSION OFFICES OR FROM NCDA. BECAUSE THE NCDA SOIL TESTING LAB REQUIRES 1-6 WEEKS FOR SAMPLE TURN-AROUND, SAMPLING MUST BE PLANNED WELL IN ADVANCE OF FINAL GRADING. TESTING IS ALSO DONE BY COMMERCIAL LABORATORIES.

SEEDBED PREPARATION

1. ROUGHEN SURFACES IN ACCORDANCE WITH THE NOTES ON SURFACE ROUGHENING ON THIS SHEET.
2. BREAK UP LARGE CLODS AND RAKING INTO A SMOOTH, UNIFORM SURFACE (SLOPES LESS THAN 3:1.) FILL IN OR LEVEL DEPRESSIONS THAT CAN COLLECT WATER. BROADCAST SEED INTO A FRESHLY LOOSENED SEEDBED THAT HAS NOT BEEN SEALED BY RAINFALL.

SEEDING MIXTURE

SPECIES	RATE (LB/ACRE)
TALL FESCUE	100
KOREAN LESPEDEZA	10
KENTUCKY BLUEGRASS	5
REDTOP	5
BUFFALO GRASS	1

SEEDING NOTE

1. WHERE APPEARANCE IS A CONSIDERATION, INCREASE KOREAN LESPEDEZA TO 40 LB/ACRE.

NURSE PLANTS

BETWEEN MAY 1 AND AUGUST 15 ADD 10 LB/ACRE GERMAN MILLET OR 15 LB/ACRE TALL FESCUE. PRIOR TO MAY 1 OR AFTER AUGUST 15, ADD 40 LB/ACRE RYE (GRAIN). IT MAY BE BENEFICIAL TO PLANT THE GRASSES IN LATE SUMMER AND OVERSEED THE LESPEDEZAS IN MARCH.

SEEDING DATES

	BEST	POSSIBLE
BELOW 2500 FT:	AUG. 15- SEPT.1 MAR. 1- APR.1	JULY 25 - SEPT. 15 MAR. 1 - MAY 10
ABOVE 2500 FT:	JULY 25 - AUG. 15 MAR. 20 - APR. 20	JULY 15 - AUG. 30 MAR. 5 - MAY 15

COMPLETE SEEDING EARLIER IN FALL, AND START LATER IN SPRING ON NORTH AND EAST FACING SLOPES.

SOIL AMENDMENTS

APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS. IF SOIL TESTS ARE NOT AVAILABLE, APPLY 4,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 1,000 LB/ACRE 5-10-10 FERTILIZER.

MULCH

APPLY 4,000 - 5,000 LB/ACRE GRAIN STRAW OR EQUIVALENT COVER OF ANOTHER SUITABLE MULCHING MATERIAL. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING OR ROVING. NETTING IS THE PREFERRED ANCHORING METHOD ON STEEP SLOPES.

MAINTENANCE

REFERTILIZE THE SECOND YEAR UNLESS GROWTH IS FULLY ADEQUATE. MOW NO MORE THAN ONCE PER YEAR. RESEED, FERTILIZE AND MULCH DAMAGED AREAS IMMEDIATELY.

PERMANENT SEEDING SCHEDULE

GROUND STABILIZATION TIMEFRAMES

Required Ground Stabilization Timeframes

Site Area Description	Stabilize within this many calendar days after ceasing land disturbance	Timeframe variations
(a) Perimeter dikes, swales, ditches, and perimeter slopes	7	None
(b) High Quality Water (HQW) Zones	7	None
(c) Slopes steeper than 3:1	7	If slopes are 10' or less in length and are not steeper than 2:1, 14 days are allowed
(d) Slopes 3:1 to 4:1	14	-7 days for slopes greater than 50' in length and with slopes steeper than 4:1 -7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed
(e) Areas with slopes flatter than 4:1	14	- 7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed unless there is zero slope

Note: After the permanent cessation of construction activities, any areas with temporary ground stabilization shall be converted to permanent ground stabilization as soon as practicable but in no case longer than 90 calendar days after the last land disturbing activity. Temporary ground stabilization shall be maintained in a manner to render the surface stable against accelerated erosion until permanent ground stabilization is achieved.

GROUND STABILIZATION SPECIFICATION

Stabilize the ground sufficiently so that rain will not dislodge the soil. Use one of the techniques in the table below:

Temporary Stabilization	Permanent Stabilization
• Temporary grass seed covered with straw or other mulches and tackifiers • Hydroseeding • Rolled erosion control products with or without temporary grass seed • Appropriately applied straw or other mulch • Plastic sheeting	• Permanent grass seed covered with straw or other mulches and tackifiers • Geotextile fabrics such as permanent soil reinforcement matting • Hydroseeding • Shrubs or other permanent plantings covered with mulch • Uniform and evenly distributed ground cover sufficient to restrain erosion • Structural methods such as concrete, asphalt or retaining walls • Rolled erosion control products with grass seed

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CREES

11-27-24

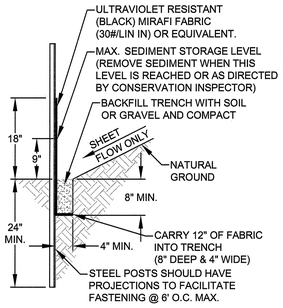
MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

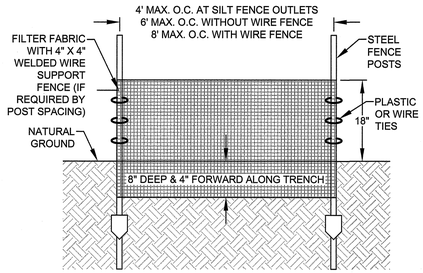
DESCRIPTION	REV.	BY	DATE

EROSION & SEDIMENT CONTROL
DETAIL SHEET #1

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-12
SHEET NO.	12 OF 14



SECTION



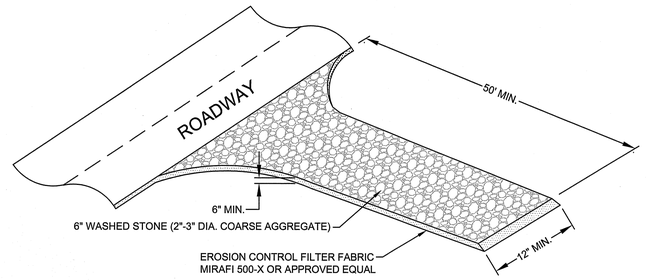
ELEVATION

MAINTENANCE REQUIREMENTS:

1. INSPECT SILT FENCE AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT OF 1 INCH OR GREATER IN 24 HOURS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. SHOULD THE FABRIC OF A SILT FENCE COLLAPSE, TEAR, DECOMPOSE OR BECOME INEFFECTIVE, REPLACE IT IMMEDIATELY.
3. REMOVE ACCUMULATED SEDIMENT WHEN IT REACHES ONE-HALF OF THE FENCE HEIGHT AND AS NECESSARY TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAINFALL AND TO REDUCE PRESSURE ON THE FENCE. TAKE CARE TO NOT DAMAGE OR UNDERMINE THE FENCE DURING CLEANOUT.
4. INSTALL ADDITIONAL STEEL POSTS OR WIRE BACKING AT LOCATIONS WHERE SILT FENCE IS SAGGING.

SILT FENCE

NOT TO SCALE



NOTES:

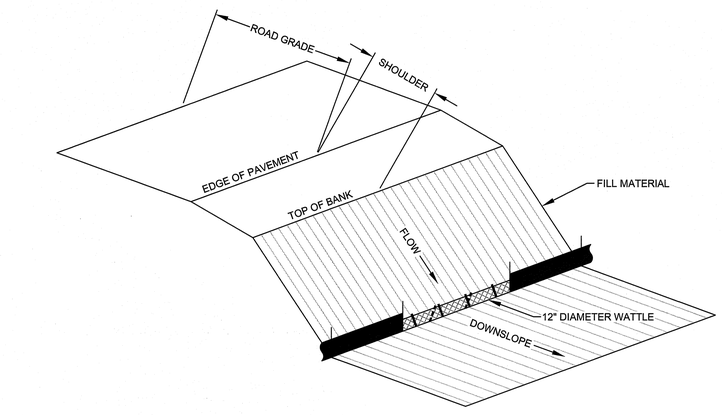
1. CLEAR THE ENTRANCE AND EXIT AREA OF ALL VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL AND PROPERLY GRADE IT.
2. PLACE THE GRAVEL TO THE SPECIFIC GRADE AND DIMENSIONS SHOWN ON THE PLANS AND SMOOTH IT.
3. USE GEOTEXTILE FABRIC UNDER THE STONE IN LOCATIONS SUBJECT TO SEEPAGE OR HIGH WATER TABLE.
4. PROVIDE DRAINAGE TO CARRY WATER TO A SEDIMENT TRAP OR OTHER SUITABLE OUTLET.

MAINTENANCE REQUIREMENTS:

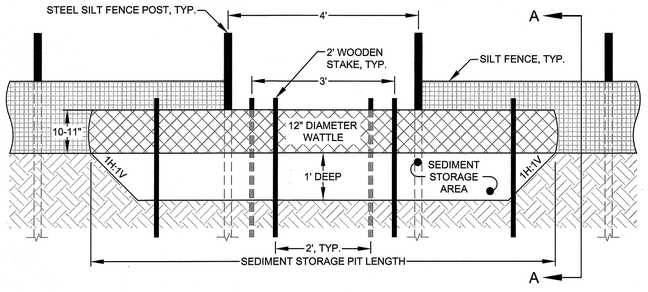
1. INSPECT CONSTRUCTION ENTRANCE AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT OF 1 INCH OR GREATER IN 24 HOURS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. MAINTAIN THE GRAVEL CONSTRUCTION ENTRANCE IN A CONDITION TO PREVENT MUD OR SEDIMENT FROM LEAVING THE CONSTRUCTION SITE. TOP DRESS WITH 2" STONE AS REQUIRED.
3. CLEAN ANY SEDIMENT TRAPPED BY CONSTRUCTION ENTRANCE AFTER EACH RAINFALL.
4. IMMEDIATELY REMOVE ALL SEDIMENT AND ANY OBJECTIONABLE MATERIALS SPILLED, WASHED OR TRACKED ONTO PUBLIC ROADWAYS.

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

NOT TO SCALE



ISOMETRIC VIEW



VIEW FROM SLOPE

NOTES:

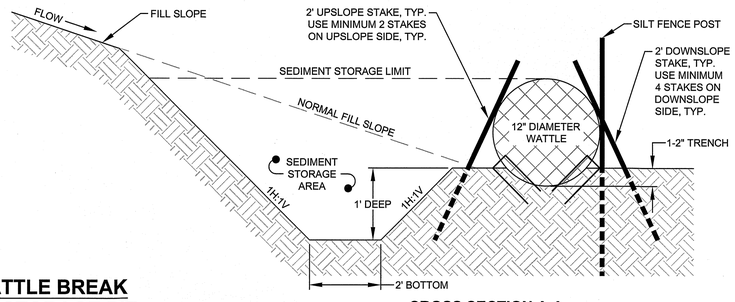
1. USE MINIMUM 12" DIAMETER EXCELSIOR WATTLE AND LENGTH OF 10'.
2. EXCAVATE A 1" TO 2" TRENCH FOR WATTLE TO BE PLACED.
3. DO NOT PLACE WATTLE ON TOE OF SLOPE.
4. USE 2' LONG WOODEN STAKES WITH A 2" X 2" NOMINAL CROSS SECTION.
5. INSTALL A MINIMUM OF 2 UPSLOPE STAKES AND 4 DOWNSLOPE STAKES AT AN ANGLE TO WEDGE WATTLE TO GROUND.
6. STAKES SHALL NOT BE INSTALLED THROUGH THE WATTLE.
7. PROVIDE STAPLES MADE OF 0.125" DIAMETER STEEL WIRE FORMED INTO U SHAPE NOT LESS THAN 12" IN LENGTH.
8. INSTALL STAPLES APPROXIMATELY EVERY 1 LINEAR FOOT ON BOTH SIDES OF WATTLE AND AT EACH END TO SECURE IT TO THE SOIL.
9. WATTLE INSTALLATION CAN BE ON OUTSIDE OF THE SILT FENCE AS DIRECTED.
10. INSTALL TEMPORARY SILT FENCE IN ACCORDANCE WITH DETAIL.

MAINTENANCE REQUIREMENTS:

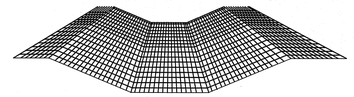
1. INSPECT WATTLE BREAKS AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT OF 1 INCH OR GREATER IN 24 HOURS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. REMOVE ACCUMULATED SEDIMENT IN THE SEDIMENT STORAGE PIT WHEN IT REACHES ONE-HALF THE HEIGHT OF THE WATTLE AND AS NECESSARY TO PROVIDE ADEQUATE FLOW FOR THE NEXT RAINFALL EVENT. REMOVE DEBRIS FROM THE STORAGE PIT AND WATTLE. IF THE NATURAL FIBERS OF THE WATTLE BECOME TOO SATURATED WITH SEDIMENT OR DEBRIS AND REMOVAL IS NOT POSSIBLE, WATTLES SHALL BE REPLACED.
3. WATTLES SHALL BE REPLACED IF THEY ARE CLOGGED OR TORN.
4. CHECK STABILITY OF ANCHOR STAKES AND REINSTALL WATTLES IF THEY BECOME DISLODGED OR UNDERMINED.

SILT FENCE WATTLE BREAK WITH SEDIMENT STORAGE PIT

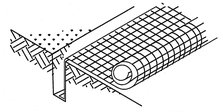
NOT TO SCALE



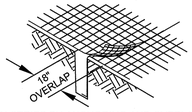
CROSS SECTION A-A



IN CHANNELS, ROLL OUT STRIPS OF NETTING PARALLEL TO THE DIRECTION OF FLOW AND OVER THE PROTECTIVE MULCH.



ANCHOR NETTING IN A 6 INCH TRENCH.



JOIN STRIPS BY ANCHORING AND OVERLAPPING.

INSTALLATION OF NETTING AND MATTING:

PRODUCTS DESIGNED TO CONTROL EROSION SHOULD BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS. ANY MAT OR BLANKET-TYPE PRODUCT USED AS A PROTECTIVE MULCH SHOULD PROVIDE COVER OF AT LEAST 30% OF THE SURFACE WHERE IT IS APPLIED. INSTALLATION IS ILLUSTRATED ABOVE.

1. APPLY LIME, FERTILIZER AND SEED BEFORE LAYING THE NET OR MATT. IF OPEN-WEAVE NETTING IS USED, LIME MAY BE INCORPORATED BEFORE INSTALLING THE NET AND FERTILIZER AND SEED SPRAYED ON AFTERWARD.
2. START LAYING THE NET FROM THE TOP OF THE CHANNEL OR SLOPE AND UNROLL IT DOWN THE GRADE. ALLOW NETTING TO LAY LOOSELY ON THE SOIL BUT WITH- OUT WRINKLES--DO NOT STRETCH.
3. TO SECURE THE NET, BURY THE UPSLOPE END IN A SLOT OR TRENCH NO LESS THAN 6 INCHES DEEP, COVER WITH SOIL, AND TAMP FIRMLY. STAPLE THE NET EVERY 12 INCHES ACROSS THE TOP END AND EVERY 3 FEET AROUND THE EDGES AND BOTTOM. WHERE 2 STRIPS OF NET ARE LAID SIDE BY SIDE, THE ADJACENT EDGES SHOULD BE OVERLAPPED 3 INCHES AND STAPLED TOGETHER. EACH STRIP OF NETTING SHOULD ALSO BE STAPLED DOWN THE CENTER, EVERY THREE FEET. DO NOT STRETCH THE NET WHEN APPLYING STAPLES.
4. TO JOIN TWO STRIPS, CUT A TRENCH TO ANCHOR THE END OF THE NEW NET. OVERLAP THE END OF THE PREVIOUS ROLL 18 INCHES, AS SHOWN ABOVE, AND STAPLE EVERY 12 INCHES JUST BELOW THE ANCHOR SLOT.

MAINTENANCE REQUIREMENTS:

1. INSPECT ROLLED EROSION CONTROL PRODUCTS AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT OF 1 INCH OR GREATER IN 24 HOURS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. REPAIR UNDERMINING BENEATH MATTING. PULL BACK THE MATTING, FILL AND COMPACT THE ERODED AREA, RESEED AND MULCH THEN SECURE MATTING FIRMLY.
3. REPOSITION OR REPLACE MATTING THAT HAS MOVED ALONG THE DITCH OR SWALE CHANNEL AND SECURE FIRMLY.
4. REPLACE DAMAGED SECTIONS OF MATTING.

ROLLED EROSION CONTROL PRODUCT (RECP) DETAIL

NOT TO SCALE

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CREE

11-27-24

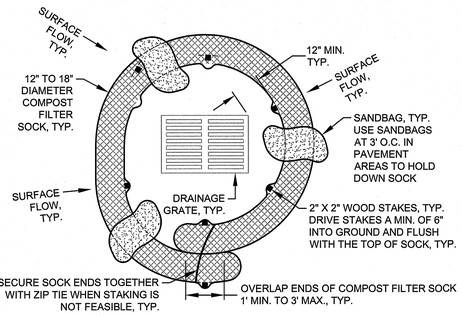
MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

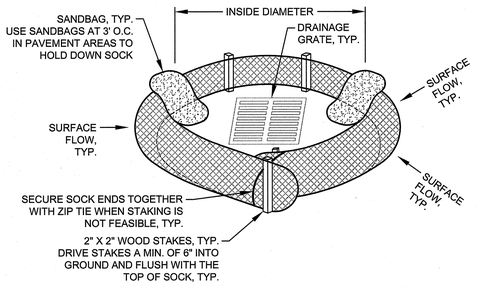
DATE	BY	REV.	DESCRIPTION

EROSION & SEDIMENT CONTROL
DETAIL SHEET #2

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-13
SHEET NO.	13 OF 14



PLAN VIEW



DRAIN PERSPECTIVE VIEW

NOTES:

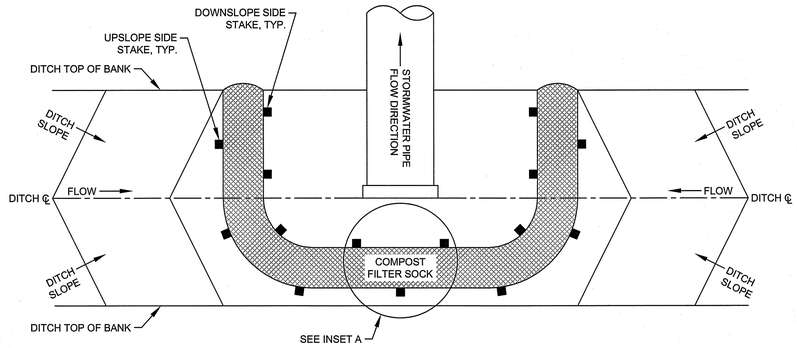
1. USE 8" TO 12" DIAMETER SOCK ON CURBSIDE IN TRAFFIC AREAS.
2. USE 12" TO 18" DIAMETER SOCK IN NON-TRAFFIC AREAS OR AREAS WHERE THE LARGER SOCK CAN BE USED SAFELY.
3. USE 2' LONG WOODEN STAKES WITH A 2" X 2" NOMINAL CROSS-SECTION. DRIVE STAKES A MINIMUM OF 6" INTO THE GROUND AND THE TOP OF STAKE SHALL BE FLUSH WITH THE TOP OF THE FILTER SOCK.
4. STAKES SHALL NOT BE INSTALLED THROUGH THE FILTER SOCK.
5. SANDBAGS TO HOLD DOWN FILTER SOCK INSTALLED IN PAVEMENT AREAS SHALL BE PLACED AT A MAXIMUM OF 3 LF ON CENTER.
6. SECURE SOCK ENDS TOGETHER WITH ZIP TIE WHEN STAKING IS NOT FEASIBLE OR WHEN FILTER SOCKS ARE INSTALLED IN PAVEMENT AREAS.

MAINTENANCE REQUIREMENTS:

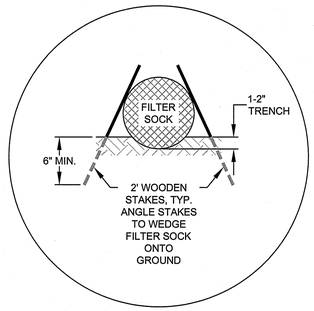
1. INSPECT COMPOST FILTER SOCKS AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT OF 1 INCH OR GREATER IN 24 HOURS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. REMOVE ACCUMULATED SEDIMENT WHEN IT REACHES ONE-HALF THE HEIGHT OF THE FILTER SOCK AND AS NECESSARY TO PROVIDE ADEQUATE FLOW FOR THE NEXT RAINFALL EVENT. REMOVE DEBRIS FROM THE FILTER SOCK. IF THE COMPOST FILTER SOCK BECOMES TOO SATURATED WITH SEDIMENT OR DEBRIS AND REMOVAL IS NOT POSSIBLE, IT SHALL BE REPLACED.
3. COMPOST FILTER SOCKS SHALL BE REPLACED IF THEY ARE CLOGGED OR TORN.
4. CHECK STABILITY OF ANCHOR STAKES AND/OR SANDBAGS AND REINSTALL FILTER SOCK IF THEY BECOME DISLODGED OR UNDERMINED. REPLACE ANY DAMAGED STAKES AND/OR SANDBAGS IMMEDIATELY.

DROP INLET COMPOST FILTER SOCK INLET PROTECTION

NOT TO SCALE



TOP VIEW



INSET A

NOTES:

1. USE 12" TO 18" DIAMETER FILTER SOCK.
2. USE 2' LONG WOODEN STAKES WITH A 2" X 2" NOMINAL CROSS-SECTION. DRIVE STAKES A MINIMUM OF 6" INTO THE GROUND AND THE TOP OF STAKE SHALL BE FLUSH WITH THE TOP OF THE FILTER SOCK.
3. INSTALL FILTER SOCK TO A HEIGHT ON SLOPE SO FLOW WILL NOT WASH AROUND SOCK AND SCOUR SLOPES, OR AS DIRECTED.
4. PROVIDE A MINIMUM OF TWO UPSLOPE STAKES AND FOUR DOWNSLOPE STAKES FOR EACH DITCH AT AN ANGLE TO WEDGE FILTER SOCK TO GROUND AT BOTTOM.
5. STAKES SHALL NOT BE INSTALLED THROUGH THE FILTER SOCK.

MAINTENANCE REQUIREMENTS:

1. INSPECT COMPOST FILTER SOCKS AT LEAST ONCE PER 7 CALENDAR DAYS AND WITHIN 24 HOURS OF A RAINFALL EVENT OF 1 INCH OR GREATER IN 24 HOURS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. REMOVE ACCUMULATED SEDIMENT WHEN IT REACHES ONE-HALF THE HEIGHT OF THE FILTER SOCK AND AS NECESSARY TO PROVIDE ADEQUATE FLOW FOR THE NEXT RAINFALL EVENT. REMOVE DEBRIS FROM THE FILTER SOCK. IF THE COMPOST FILTER SOCK BECOMES TOO SATURATED WITH SEDIMENT OR DEBRIS AND REMOVAL IS NOT POSSIBLE, IT SHALL BE REPLACED.
3. COMPOST FILTER SOCKS SHALL BE REPLACED IF THEY ARE CLOGGED OR TORN.
4. CHECK STABILITY OF ANCHOR STAKES AND/OR STAPLES AND REINSTALL FILTER SOCK IF THEY BECOME DISLODGED OR UNDERMINED. REPLACE ANY DAMAGED STAKES AND/OR STAPLES IMMEDIATELY.

COMPOST FILTER SOCK PIPE INLET PROTECTION

NOT TO SCALE

MUNICIPAL ENGINEERING, INC.
68 SHIPWASH DRIVE, GARNER, NC 27529 - PHONE: 919-772-5393
820-B STATE FARM ROAD, BOONE, NC 28607 - PHONE: 828-262-1767
LICENSE NUMBER: F-0812 & C-586

JEREMIAH'S ICE/ BALD GUY BREW
JSEVENTEEN7, LLC
1095 EAST KING ST.
BOONE, NORTH CAROLINA

DATE	BY	REV.	DESCRIPTION

EROSION & SEDIMENT CONTROL
DETAIL SHEET #3

NORTH CAROLINA PROFESSIONAL SEAL 27044 ENGINEER ALAN J. CREES

11-27-24

SCALE:	AS SHOWN
DATE:	11-27-24
DRWN. BY:	SGJ
CHKD. BY:	AJC
PROJECT NUMBER	B24051
DRAWING NO.	C-14
SHEET NO.	14 OF 14

JSeventeen7, LLC
1059 East King Street
Description of Activities Fire Code Consideration

Applicant is proposing an Italian ice/ frozen dessert retail business (called Jeremiah's Italian Ice) inside the existing structure along with a coffee truck to be parked onsite. The Italian ice/ frozen dessert business will not have an oven, cook/ stove top, grill, fryer or any other equipment/ appliances to cook food or even prepare food onsite except an ice cream machine. The coffee truck will also not contain any of the foregoing appliances/ equipment and will not be roasting coffee beans or preparing food on site.

Jeremiah's patrons will be able to eat inside but there will be minimal seating- planned 2 4-top tables. In addition, there will be a large deck as shown on the plans which patrons for both businesses may use.

Please advise if you need additional information.

Exhibit 5

44.60P
44.80P
44.50P
44.30P
17' Interior Setback
46.25C
3148
3146
3144
3142
3140
3138
3136
3450
20' Street Setback
1"=10'
DEMO MAPLE
STONE SWALE #1
(SEE DETAIL)
CURB FLUME, TYP.
46.25C
44.95C
45.05C
44.0C
46.70C (HP)
47.32P
47.16P
47.48P
47.12P
46.96P
46.80P
46.00P
46.50S
47.72S
47.22S
47.12S
47.00S
CURB FLUME, TYP.
46.00P
STACKED
ROCK
HEADWALL
45.33P
45.50P
45.68P
45.68P
45.33P
45.50P
2%
2%
46.35P
46.00
ex. cabin
ffe: 3148.35
top of foundation
wall: 3147.35±
10%
10%
44.33P
45.00P
POSSIBLE
PARK
(DEMO TREE)
44.73C
44.23P
44.90P
6.8%
5.3%
1%
RIPRAP APRON
#1, TYP.
(SEE DETAIL)
approx. loc'n. ex.
monument sign
43.70C
5%
42.45P
CURB FLUME, TYP.
20' Street Setback
45.5Ce
315
FP
SB
SE

MUNICIPAL ENGINEERING, INC.

Engineering Excellence: Innovative Approaches / Sustainable Solutions

January 28, 2025

Ms. Amy Snider, Commercial Zoning Administrator
Town of Boone Department of Planning & Inspections
680 West King Steet Suite C
Boone NC 28607

RE: Jeremiah Italian Ice Zoning Permit Application
Traffic Impact Analysis Requirements

Dear Ms. Snider:

We have reviewed Section 4.04.02C of the Town's Unified Development Ordinance which lists the conditions that may require a Traffic Impact Analysis (TIA) for the subject project. Below are the conditions along with our responses in blue:

1. The development proposes to have an access to the public road system within 100' of the STOP bar of any traffic control signal. The center of the existing commercial driveway is approximately 30' from the stop bar on Grove Street. The center of the proposed driveway is approximately 102' from the stop bar. The proposed driveway has been moved as far away as possible from the stop bar while maintaining minimal radii and avoiding an AT&T guy wire.

2. The development proposes to have an access to the public road system within 200' of the STOP bar of any traffic control signal and based upon Institute of Transportation Engineers (ITE) trip generation rates is projected to generate eighty (80) or more exiting trips during any one (1) hour period of any day. According to the ITE Trip Generation Manual, we calculated less than 80 trips during the peak hour for the proposed development.

3. The development proposes to have access to any public road at a location where sight distance in any direction along the road is less than 500'. There is clear site distance along Grove Street to its intersection with East King Street and Perkinsville Drive.

4. The development proposes access onto a public road that does not have a paved width of at least eighteen feet (18'). The paved width of Grove Street is over 18'.

1. The development proposes access to a public road that currently operates at a level of service of D or less and based upon ITE trip generation rates is projected to generate 1,500 weekday trips. According to the ITE Trip Generation Manual, we calculated less than 1,500 weekday trips for the proposed development.

2. The Administrator or Public Works Director determines that the proposed project will have a potential negative impact on the public road system due to the size of the project or existing transportation system; or determines that there are safety concerns with the driveway location and design. To be determined.

Please let us know if you have any questions or need additional information.

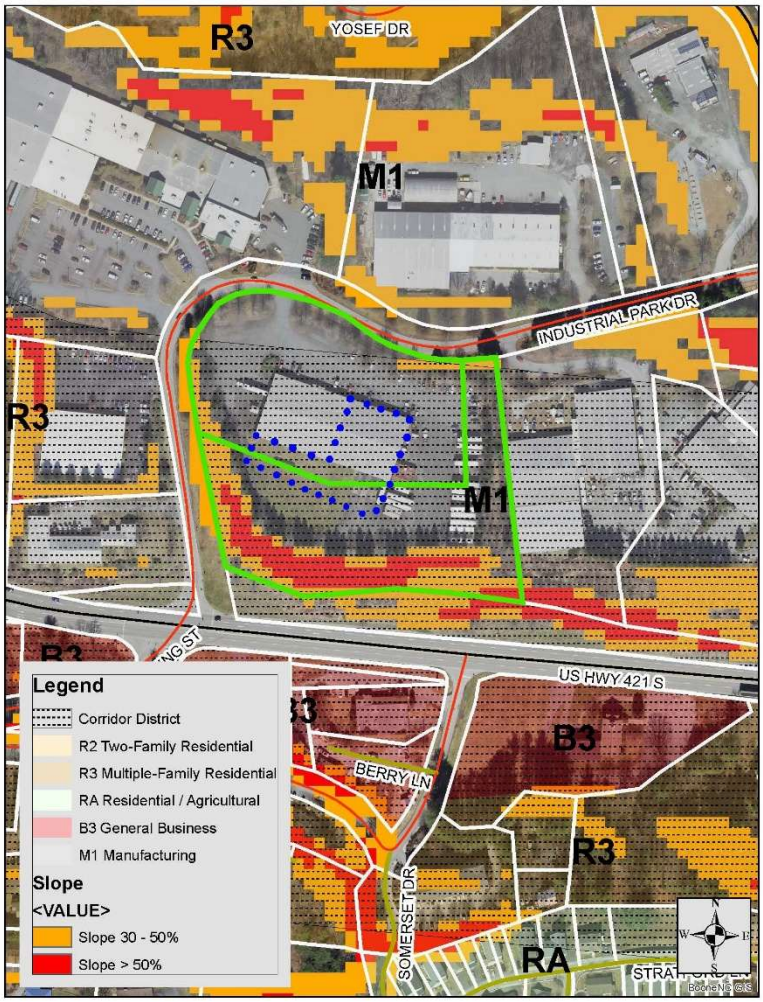
Sincerely,
MUNICIPAL ENGINEERING, INC.

Alan J. Crees, PE

Copy: Chelsea Garrett
Sid Greene

Staff Report
May 19, 2025
Case A25-0118 – The Summit Pickleball Conditional District Zoning Map Amendment

Request 2
Parcel and Project Information 2
Zoning History 3
Zoning Analysis 3
District Compliance: 3
Additional Ordinance Compliance: 4
Procedural Analysis: 5
Conformity to Adopted Plans 6
Comprehensive Plan Update 6
Certificate of Mailing 10
Certification of Posting 10
Conditions of Approval 10
Planning Commission Recommendations 11
Town Council Action - Adoption of Ordinance 12
Exhibit A – Ordinance A25-0118 13



Request

The Summit Pickleball, LLC has submitted a Conditional District Zoning Map application to rezone a portion of 278 Industrial Park Dr and the adjacent lot from M1 Manufacturing to a Conditional District B3 General Business with a site-specific plan for use 12.11 Recreation Facility, Category 2. As proposed, the site would expand the indoor-only recreation activities to include outdoor activities with the addition of one sand volleyball court, two mini-soccer fields, and two outdoor pickleball courts. The subject properties are outlined in green and the proposed area for re-zoning is outlined by the dotted blue line on the map above.

Parcel and Project Information

Address:	278 Industrial Park Dr	Vacant Lot
Property Owner:	Carroll Companies, Inc previously known as Carroll Leather Goods, Inc	Carroll Companies, Inc previously known as Carroll Leather Goods, Inc
Watauga County PIN:	2910-99-5982-000	2910-99-6770-000
Parcel Tax Value:	$1,177,490	$302,500
Lot size:	3.542 acres	3.340 acres
Jurisdiction:	Town of Boone	
Access:	Industrial Park Drive (Town Maintained)	
SFHA:	No	
Watershed District:	No	
Corridor District:	Yes (not impacted by the proposed development)	
NCD:	No	
Viewshed:	No	
Steep Slope:	Yes (not impacted by the proposed development)	
Current Zoning:	M1 Manufacturing with Corridor District Overlay	

The M1 Manufacturing District is established primarily to accommodate appropriate light industrial and warehouse enterprises engaged in the assembly, fabrication, finishing, packaging, warehousing or distribution of goods and materials, including the storage and processing of raw materials into other products, as well as and (related and/or compatible commercial uses. The intent in allowing related and/or compatible commercial uses is to promote flexible and creative use of the District while still serving the primary intent of accommodating light industrial, warehousing, and distribution uses.

The corridor districts are established overlay district intended to protect the main thoroughfares though Town.

Proposed Zoning: Portion Split-Zoned B3 General Business

The B3 General Business District is primarily intended to accommodate a wide range of office, restaurant, retail, service, and multi-family residential uses in a mixed-use environment. The regulations for this district are intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

Current Use: 14.10 Manufacturing, Other and 12.10 Recreation Facility, Category 1

Proposed Use: 14.10 Manufacturing, Other and 12.11 Recreational Facility, Category 2

Manufacturing - The assembly, fabrication, finishing or packaging of goods and materials, including the storage and processing of raw materials into other products.

Recreational Facility, Category 1 - A facility in which regularly scheduled recreation activities take place within completely enclosed buildings.

Recreational Facility, Category 2 - A facility providing outdoor space in which regularly scheduled recreation activities take place, and which does not utilize outdoor event lighting.

Proposed Project Costs: $20,000

Zoning & Use of Adjacent Properties		
	Adjacent Zoning	**Adjacent Land Use**
North	M1 Manufacturing	Manufacturing, other
East	M1 Manufacturing	Manufacturing, other
South	B3 General Business	Business/Professional Office
West	M1 Manufacturing	Manufacturing, other

Zoning History

June 7, 2023 The Town of Boone issued a zoning permit, Z06654-051623, for converting a portion of the interior of the warehouse to an indoor six (6) court pickleball facility, use 12.10 Recreation Facility, Category 1, permissible by right in the M1 Manufacturing District.

Zoning Analysis

District Compliance:

As proposed, the proposed development is in compliance with the B3 General Business Zoning District and the M1 Manufacturing District standards as shown below:

B3 Development Standards	Proposed	Compliance
Minimum Gross Land Area: 5,000 sq ft	Over 299,779 ft^2	Yes
Minimum Lot Width: 50 ft	Over 500 ft	Yes
Minimum Street Frontage: 40 ft	0 ft	No
Minimum Livability Space: .27	Over 50%	Yes
Interior Setback: 17 ft	0 ft	No
Street Setback: 20 ft	Over 100 ft	Yes
Maximum Building Height: 3 stories	1 story	Yes

M1 Development Standards	Proposed	Compliance
Minimum Gross Land Area: 17,000 sq ft	Over 299,779 ft^2	Yes
Minimum Lot Width: 80 ft	Over 500 ft	Yes
Minimum Street Frontage: 64 ft	Over 200 ft	Yes
Minimum Livability Space: .30	Over 50%	Yes
Interior Setback: 22 ft	0 ft	No
Street Setback: 20 ft	Over 100 ft	Yes
Maximum Building Height: 67 ft	1 story (<67 ft)	Yes

The neighborhood consists primarily of manufacturing facilities. The parcel is located off from a town-maintained street which is access to a main thoroughfare.

Additional Ordinance Compliance:

Pursuant to UDO 7.05.02(C) compliance of existing development with the requirements of the Ordinance shall be triggered by the costs of proposed new development (excluding any costs associated with improvements made due to compliance with this Section), the applicant's project cost does not trigger any additional compliance.

Staff Note: If approved, the applicant will be required to submit all necessary zoning and building permit that may be needed for proposed project.

Parking:

Required for 12.0 Recreation	Proposed	Compliance
Automobile – 5 spaces / 1000ft^2 GFA maximum – 78 max	39	Yes
Bicycle, Short-Term – 1 space / 5,000ft^2 GFA – 3	0	No
Bicycle, Long-Term – 1 space / 10,000ft^2 GFA – 1.56	0	No
Motorcycle – 1 for 40 vehicle spaces - 1	0	Yes

Staff Note: No additional compliance was triggered by the project cost for the current proposal, nor the former interior renovations. Exhibit 7 is the parking detail submitted for the interior changes in 2023.

Procedural Analysis:

Pursuant to UDO Subsection 14.01.02(C) a Conditional District (CD) is a zoning district in which the use and development of a property pursuant to a site-specific development plan is approved through the legislative process pursuant to Article 9 of this Ordinance. A CD utilizes a proposed general use zoning district, is limited to the authorized uses and development standards mandated within that district and may be subjected to conditions that make the development more desirable.

A site-specific vesting plan is defined in UDO Article 34 as "A plan submitted to a local government in which the applicant requests vesting in accordance with Section 4.13, describing with reasonable certainty on the plan the type and intensity of use for a specific parcel or parcels of property. The plan may be in the form of, but not be limited to, any of the following plans or approvals: a subdivision plat, a preliminary or general development plan, a special use permit, a conditional district zoning plan. The plan shall include the approximate boundaries of the site; significant topographical and other natural features affecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways."

See below for details on the applicant's compliance with the Conditional District procedural requirement for a neighborhood meeting as set forth in UDO Subsection 9.09.02 and the development's overall compliance with UDO standards specific to the development:

Compliance with UDO Subsection 9.09.02 Neighborhood Meeting:

A. The applicant shall conduct a neighborhood meeting prior to the submission of the application for a Conditional District Zoning Map Amendment. This meeting will allow the applicant to explain the proposed development and to be informed of the concerns of the neighborhood and surrounding property owners.

B. A meeting notice must be mailed to property owners within 300' of the development at least 25 days prior to the meeting in accordance with Subsection 1.13.02 herein. A copy of the notice shall also be provided to the Planning Department. The notice shall contain a summary of the proposed development, the applicants contact information, the date, time, and location of the meeting.

C. The meeting must be held at an accessible and convenient location and time in light of available options. Upon coordination through the Planning Department, the meeting may be held at Town Council Chambers if that location is available.

D. At the meeting, the petitioner, at a minimum, shall present all the following information:

    1. Contact information of the parties involved in the ownership, design, and development of the property;

    2. The location of the property and general information on the current conditions of the site;

    3. Proposed use(s) and site development;

4. Any preliminary plans or renderings, if available; and

E. The applicant shall provide the Administrator with a summary report of the meeting which includes a list of all attendees and details the meeting including all concerns expressed by attendees and commitments made by the petitioner. This report shall be included in the staff report.

Staff Note: The applicant held a neighborhood meeting on February 5, 2025. Exhibit 4 has the summarized report information from that meeting as well as a copy of the notification sent from the applicant.

Conformity to Adopted Plans

Comprehensive Plan Update

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High-Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

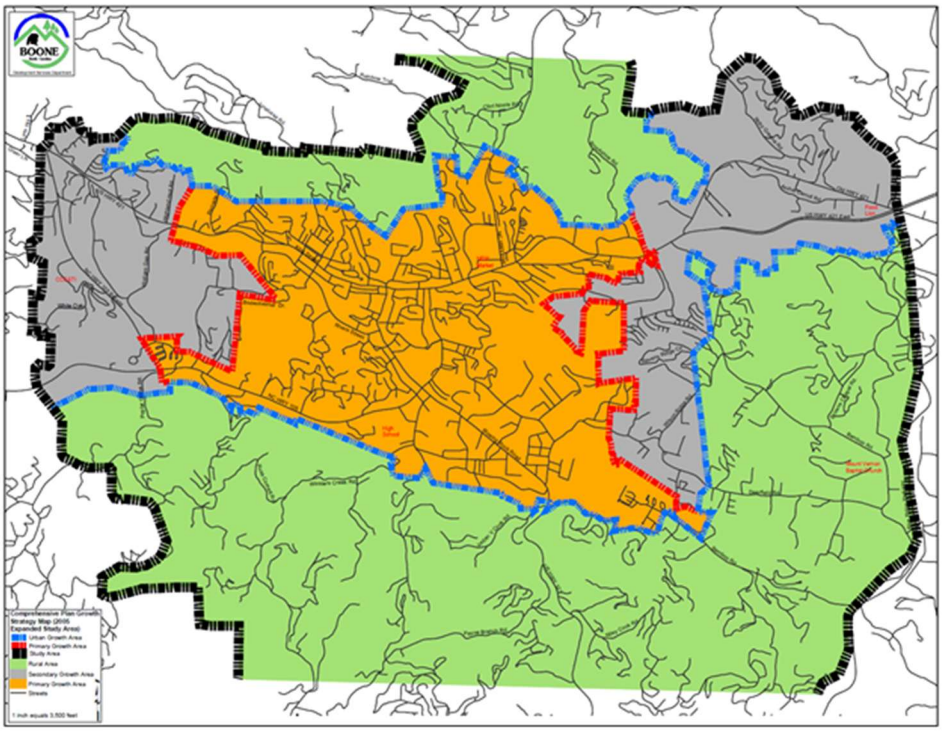
Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area.



The property is located within the Primary Growth area. The Primary Growth Area is that portion of the urban growth area where urban level or facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

The Secondary Growth Area is that portion of the urban growth area where urban level services can be provided, but on a lower priority basis than in the primary growth area.

Additionally, for comparison, the Rural Area is that portion of the planning study area that is influenced by urban area growth forces, but within which urban level development should be strongly discouraged. Urban level services and associated development densities should not be planned for this area, except in case by case evaluations of major economic development projects.

Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Commission and Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation. See below:

…

2.1 THE ECONOMY

2.1.1 Economic Development

A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.

B. New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.

C. The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective.

D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.

I. Small business start-ups, expansions and spin-offs shall be encouraged. The presence of ASU and Caldwell Community College and Technical Institute shall be recognized as a necessary and important resource for area businesses.

2.1.2 Commercial Development

A. Uncontrolled strip development along the areas through streets shall be prohibited. The undesirable effects of existing strip development shall be reduced and/or reconfigured when redevelopment opportunities permit. New strip development on isolated single lots along through streets shall be discouraged.

B. Commercial and Office Development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.

C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.

F. Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property, only when such consolidation and expansion does not encroach upon a viable residential area.

2.1.3 Industrial Development

A. The Town shall encourage a public service and regulatory environment conducive to light industrial development, provided that long term environmental quality considerations shall not be compromised.

B. Industrial development shall be located on land which is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land shall be encouraged.

C. Industrial development shall not be located in areas which would diminish the desirability of existing and planned non-industrial uses, nor shall non-industrial uses be allowed to encroach upon existing or planned industrial sites.

E. Light industrial uses may be located in or near existing built up areas to take advantage of available services and to minimize home to work distances. Careful design and or buffering may be required to ensure compatibility with surrounding areas.

F. Warehousing, storage and distribution facilities shall have a direct access to appropriate thoroughfares, and shall be visually buffered according to their location.

G. New industrial developments shall be encouraged to locate in planned industrial parks.

2.2 INFRASTRUCTURE

2.2.2 Utilities

E. The Town shall employ incentives to encourage a concentration of intense urban type development within the Urban Growth Area.

2.3 THE COMMUNITY

A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.2 Community Character

C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.

E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

Certificate of Mailing

I, Brenda Henson, certify that individual notices meeting the requirements of Article 9 of the Town of Boone UDO were placed in the mail (first class) on 04/25/2025.

/s/ Brenda Henson

Brenda Henson, Administrative Support Specialist

Certification of Posting

I, Brandon Wise, certify that the subject property was posted as required in Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO on 04/25/2025.

/s/ Brandon Wise

Brandon Wise, Deputy Planning Director

Conditions of Approval

The following conditions are automatically included and a part of any approval.

1. Where there is a conflict between the application information and the plans (dated received on April 15, 2025), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed development made by the applicant or her representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. The applicant shall submit the necessary applications, plans, details and specifications which meet the requirements of the Town Code, UDO, Building Code and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

Any other conditions agreed upon by the applicant and Town Council:

1. Any other conditions agreed upon …

Planning Commission Recommendations

Per NCGS 160D-604(b), subsequent to initial adoption of a zoning regulation, all proposed amendments to the zoning regulation or zoning map shall be submitted to the Planning Commission for review and comment. If no written report is received from the Planning Commission within 30 days of referral of the amendment to that board, the Town Council may act on the amendment without the Planning Commission report. The Town Council is not bound by the recommendations, if any, of the Planning Commission. Per NCGS 160D-604(d), when conducting a review of proposed zoning text or map, the Planning Commission shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Commission shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the Planning Commission, but a comment by the Planning Commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Vote 1: The proposed amendment to the Town's zoning map ☐**is** OR ☐**is not** consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

***Note 1**: describe elements of controlling land use plans and how the amendment is or is not consistent.*

Vote 2: The Planning Commission recommends ☐**approval** OR ☐**denial** of Ordinance #A25-0118 within Exhibit A and believes ☐**approval** OR ☐**denial** is reasonable and in the public interest because:

Note 2

***Note 2**: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.*

Town Council Action - Adoption of Ordinance

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently.

Vote 1: The proposed amendment to the Town's zoning map ☐**is** OR ☐**is not** consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

***Note 1**: describe elements of controlling land use plans and how the amendment is or is not consistent.*

Vote 2: The Town Council ☐**approves** OR ☐**denies** and believes ☐**approval** OR ☐**denial** of Ordinance #A25-0118 in Exhibit A is reasonable and in the public interest because:

Note 2

***Note 2**: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.*

Exhibit A – Ordinance A25-0118

Ordinance A25-0118

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission and Town Council has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to rezone a portion of the property below from M1 Manufacturing to Conditional District B3 General Business with a site-specific plan for use 12.11 Recreation Facility, Category 2.

Addresses:	278 Industrial Park Dr
Watauga County PIN(s):	2910-99-5982-000 and 2910-99-6770-000
Property Owner:	Carroll Companies, Inc

WHEREAS, the Boone Town Council held a duly-noticed public hearing on May 19, 2025 with respect to this rezoning request; and

WHEREAS, the Boone Town Council has taken into full consideration any information offered at the public hearing; and

WHEREAS, this Town Council has reviewed the written recommendations of the Town of Boone Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Boone Town Council hereby approves and adopts the modifications to the Town Zoning Map as set forth herein.

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this the 25th day of June, 2025.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon-Church, Town Clerk

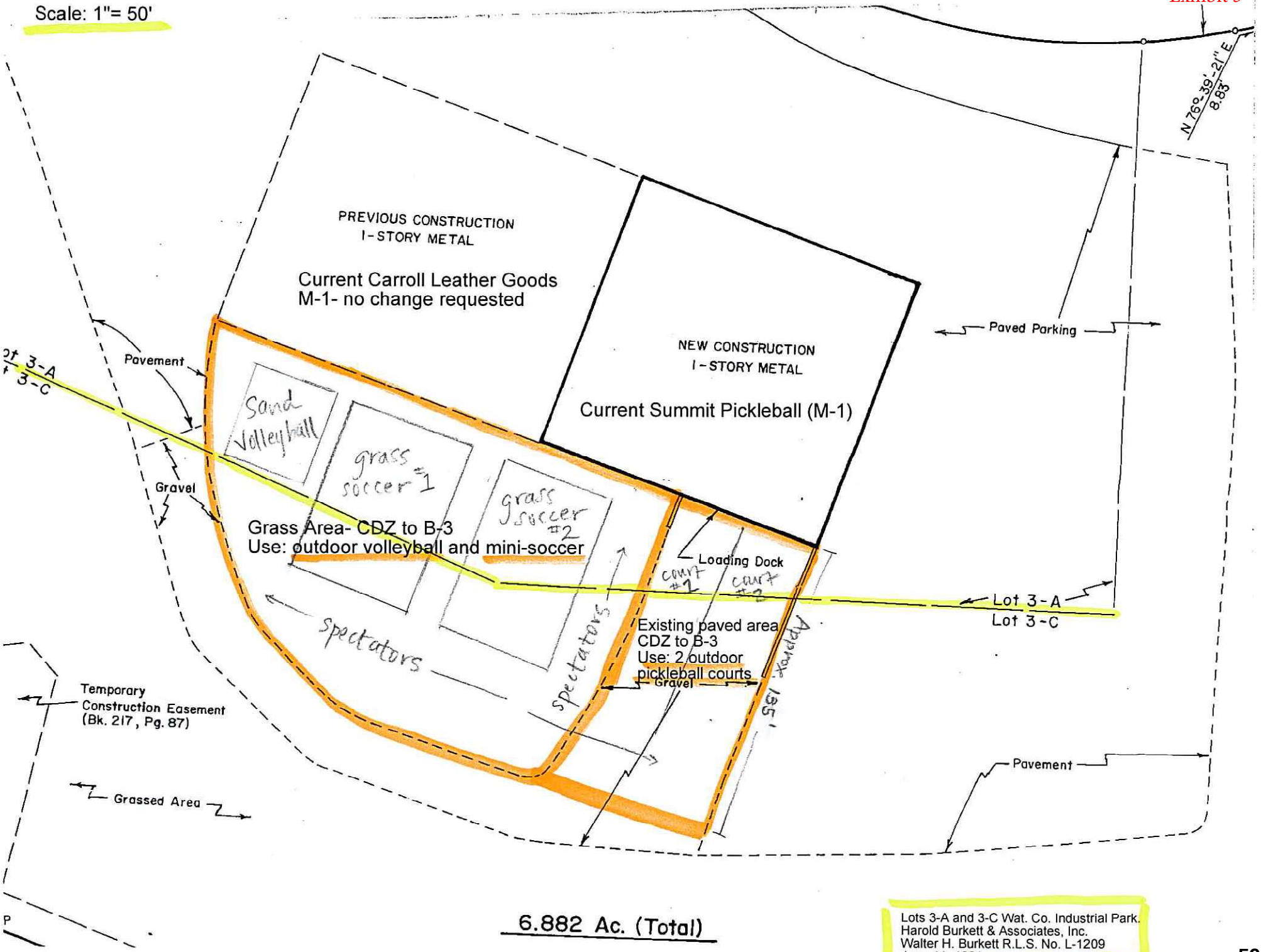
PROJECT NARRATIVE

Applicant: The Summit Pickleball, LLC
Property Owner: Carroll Companies
Property Add: 278 Industrial Park Drive1059 East King Street
Request: CDZ- split zoning (currently all M-1 to part M-1/ part B-3)

The Summit Pickleball, LLC is requesting approval of its conditional district rezoning request for the purpose of allowing it to expand its indoor-only recreation activities to include outdoor recreation activities. Outdoor recreation is not permitted in M-1 (indoor is). Currently, the indoor recreation takes place in the right side of the metal building (which is divided from the left side still used by Carroll Leather Goods). The outdoor recreation area will be partly located on the southern side of Lot 3-A (as identified by surveys included with Application) and overlapping onto the northern side of Lot 3-C. The area to be used for outdoor recreation is currently part grass and part asphalt. Applicant proposes using the grass area for 1 sand volleyball court and 2 min-soccer fields and will not need to pave any portion of the existing grass. Likewise, the Applicant will use the existing asphalt loading dock area for the pickleball courts, so it will not be increasing the impervious surface area at all.

At this time, the Applicant is NOT requesting approval for outdoor lighting. The outdoor recreational activities will be during daylight hours only. There is already ample parking on site so far as Applicant understands.

Exhibit 3


Scale: 1"= 50'
N 76° 39' 21" E
8.83'
PREVIOUS CONSTRUCTION
1-STORY METAL
Current Carroll Leather Goods
M-1- no change requested
NEW CONSTRUCTION
1-STORY METAL
Current Summit Pickleball (M-1)
Paved Parking
Pavement
Lot 3-A
Lot 3-C
Sand Volleyball
grass soccer #1
grass soccer #2
Gravel
Grass Area- CDZ to B-3
Use: outdoor volleyball and mini-soccer
Loading Dock
court #1
court #2
Spectators
Spectators
Existing paved area
CDZ to B-3
Use: 2 outdoor
pickleball courts
Gravel
Approx. 155'
Lot 3-A
Lot 3-C
Temporary
Construction Easement
(Bk. 217, Pg. 87)
Grassed Area
Pavement
6.882 Ac. (Total)
Lots 3-A and 3-C Wat. Co. Industrial Park.
Harold Burkett & Associates, Inc.
Walter H. Burkett R.L.S. No. L-1209
June 11, 1991

DEAL, MOSELEY, DI SANTI, GARRETT & MARTIN, LLP
ATTORNEYS AND COUNSELLORS AT LAW
870 West King Street, Suite B
PO Box 311
Boone, North Carolina 28607
Telephone (828) 264-4734
Fax (828) 264-2712

James M. Deal, Jr.
Allen C. Moseley
Claude D. Smith, Jr.*
Anthony S. di Santi (ret.)

Bryan P. Martin
Chelsea Bell Garrett
J. Tucker Deal
George J. Wigington

*** Also Licensed in Georgia**

Neighborhood Meeting Notes- Summit Pickleball
Meeting Date: Weds. February 5th, 2025
Re: CDZ- for outdoor pickleball, outdoor, sand volleyball and "futsol" (mini soccer) fields
Property Location: Industrial Park Drive
Notice Mailed January 10, 2025 to addresses on attached list.

No one attended the meeting. Chelsea Garrett and Crystal Smith were present onsite from 5:25-6:00 pm and walked around outside the entrance, front and back of building to make sure no one was waiting outside.

DEAL, MOSELEY, DI SANTI, GARRETT & MARTIN, LLP

ATTORNEYS AND COUNSELLORS AT LAW
870 West King Street, Suite B
PO Box 311
Boone, North Carolina 28607
Telephone (828) 264-4734
Fax (828) 264-2712

File

James M. Deal, Jr.
Allen C. Moseley
Claude D. Smith, Jr.*
Anthony S. di Santi (ret.)

Bryan P. Martin
Chelsea Bell Garrett
J. Tucker Deal
George J. Wigington

*** Also Licensed in Georgia**

January 10, 2025

Dear Property Owner:

A formal application will be submitted to the Town of Boone seeking approval for outdoor recreational space to be located at 278 Industrial Park Drive, Boone, NC 28607. The proposed, outdoor, recreational space will be adjacent to and operated in conjunction with the existing, indoor recreation space occupied by Summit Pickleball. The plan is for the outdoor space to add at least 2 pickleball courts and, possibly, volleyball and/or soccer.

In order to obtain approval, the applicant will be requesting a Conditional District Zoning Map Amendment ("CDZ"). The Town of Boone Unified Development Ordinance requires that applicants meet with neighboring property owners to discuss their proposal. Therefore, a meeting will be held as follows:

DATE/ TIME: Wednesday, February 5, 2025 at 5:30pm.

LOCATION: 278 Industrial Drive, Boone, NC 28607
(inside Summit Pickleball)

At this meeting we will discuss the proposed plan for the location of the outdoor recreational space and operation thereof. Please feel free to voice your questions, concerns and provide constructive feedback. If you are unable to attend, please email or call Chelsea Bell Garrett (cgarrett@dealmoseley.com) and Crystal Smith (crystal.smith@thesummitpb.com) and we can try to answer your questions or set up a time meet/ discuss the plan further.

Very truly yours,

DEAL, MOSELEY, DI SANTI, GARRETT
& MARTIN, LLP

Chelsea Bell Garrett, Esq.

CBG/ln
Cc: List Provided by Town of Boone

2911902436000
BARBER INVESTMENTS LLC
397 WINDY HILL RD
BOONE, NC 28607-7093

2910995982000; 2910996770000
CARROLL COMPANIES,INC
1640 OLD 421 S
BOONE, NC 28607

2910990467000
F S HOLDINGS LTD
869 HWY 105 EXT
SUITE 2
BOONE, NC 28607

2910993364000; 2910994521000
GREEN ACRES AGROFORESTRY,AND LAWN CARE, LLC
1677 N PINE RUN RD
BOONE, NC 28607

2910990899000
RHYNE, ROBERT R JR
PO BOX 1596
HARRISBURG, NC 28075

2911908395000; 2921001403000
SOFIELD CHILDRENS LTD PARTSHP
355 INDUSTRIAL PARK DRIVE
BOONE, NC 28607

2910991375000
BECKER, HELENA
173 NORTH HAMPTON RD
BOONE, NC 28607

2910995369000; 2910996217000; 2910996520000; 2910997414000
DJS ASSOCIATES LLC
1846 US HWY 421 S
BOONE, NC 28607

2920090881000
GOODNIGHT BROS
P O BOX 287
BOONE, NC 28607-0287

2920093743000
JODEB, LLC
266 RIVER CREEK RD
TODD, NC 28684

2910991721000
RUNDELL PROPERTIES LLC
157 INDUSTRIAL PARK DR
BOONE, NC 28607

2920090360000
THREE FORKS BAPTIST CHURCH
1922 US HIGHWAY 421 E
BOONE, NC 28607

BK 0170 PG 387

STATE OF NORTH CAROLINA JAN 04 '91 Excise Tax $53.00

NORTH CAROLINA
WATAUGA COUNTY
Filed for registration on the 4th day of January 19 91 at 3:30 o'clock P.M., and registered in the office of the Register of Deeds of Watauga County, North Carolina on the 4th day of January 19 91 In Book 170 of Records at page 387
Phyllis E. Foster
Register of Deeds
by Joan Wilson Deputy
Recording Time, Book and Page

Excise Tax 53.00

Tax Lot No. ..... Parcel Identifier No. .....
Verified by ..... County on the ..... day of ....., 19.....
by .....

Mail after recording to CARROLL LEATHER GOODS, INC.
ATT: Post Office Box 1549, Boone, NC 28607
This instrument was prepared by EGGERS, EGGERS AND EGGERS, ATTORNEYS AT LAW, BOONE, N.C. 28607
Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 20th day of December, 19 90, by and between

GRANTOR	GRANTEE
WATAUGA COUNTY, A N. C. BODY POLITIC	CARROLL LEATHER GOODS, INC.

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Boone, New River Township, Watauga County, North Carolina and more particularly described as follows:

"SEE ATTACHED SCHEDULE "A" FOR DESCRIPTION OF PROPERTY."

TAX INFORMATION RECORDED
1.04.91
Tax Supervisor

N. C. Bar Assoc. Form No. 3 © 1976, Revised © 1977 — James Williams & Co., Inc., Box 127, Yadkinville, N. C. 27055
Printed by Agreement with the N. C. Bar Assoc. — 1991

BK 0170 PG 388

The property hereinabove described was acquired by Grantor by instrument recorded in .....

Book 249 at Page 600, Watauga County Registry

A map showing the above described property is recorded in Plat Book ..... page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Subject to restrictions listed above, and subject to any and all other street, road and utility rights of way of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

WATAUGA COUNTY, A N.C. Body Politic
(Corporate Name)

By: _____
President

ATTEST: Cathleen C. Small
Secretary (Corporate Seal)

SEAL-STAMP

Use Black Ink

USE BLACK INK ONLY

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____ Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 19_____

My commission expires: _____ Notary Public

SEAL-STAMP

Use Black Ink

NORTH CAROLINA, Watauga County.

I, a Notary Public of the County and State aforesaid, certify that Cathleen C. Small personally came before me this day and acknowledged that she is Clerk of The Board of County Commissioners, a body politic of Watauga County, a N.C. Body Politic, and that by authority duly given and as the act of the body politic the foregoing instrument was signed in its name by its Chairman, sealed with its corporate seal and attested by _____ as its Clerk.

Witness my hand and official stamp or seal, this 4th day of January, 19 91.

My commission expires: 2/4/92 Cheryl Maynard Notary Public

NORTH CAROLINA WATAUGA COUNTY

The foregoing Certificate(s) of Cheryl Maynard, Notary Public, Watauga County, N.C.

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Phyllis E. Foster REGISTER OF DEEDS FOR Watauga COUNTY

By _____ Deputy/Assistant - Register of Deeds

N. C. Bar Assoc. Form No. 3 © 1976, Revised © 1977 -- James Williams & Co., Inc., Box 127, Yadkinville, N. C. 27055
Printed by Agreement with the N. C. Bar Assoc. – 1981

To be attached to Warranty Deed from Watauga County, a body politic organized and existing under and by virtue of the laws of the State of North Carolina, to Carroll Leather Goods, Inc.:

New River Township Schedule "A" Watauga County, NC

Being all that tract of land containing 3.542 acres by coordinate geometry lying on the east and south of North Carolina Secondary Road No. 1401, commonly known as Industrial Park Drive in New River Township, Watauga County, North Carolina; bounded by natural boundaries and/or lands owned by and/or in possession of persons as follows: On the west and north by the eastern and southern edge of the 60.00 foot right of way along Industrial Park Drive, on the east and south by Watauga County (deed book 249 at page 600) and being more particularly described by courses and distances according to survey performed in July, 1990 by Municipal Engineering Services Company, P.A. under the supervisions of C. Neal Bare, RLS L-2425 as follows:

BEGINNING on a concrete monument set in the aforesaid eastern edge of right of way at North 62 deg. 08 min. 07 sec. East (NC Grid) 7952.86 feet (horizontal surface) from NCGS Control Monument "Horn" N.A.D. 27 N 906 183.29 East 1,212,258.87; thence from the point of beginning and along the aforesaid edge of right of way the following four (4) courses and distances: (1) North 08 deg. 19 min. 10 sec. West 121.63 feet; (2) along a curve to the right chord North 40 deg. 49 min. 02 sec. East 200.42 feet, arc of 227.265, radius 132.50; (3) a curve to the right chord South 71 deg. 40 min. 54 sec. Est 207.01 feet, arc 210.60 feet; radius 328.53 feet and (4) a curve to the left chord South 74 deg. 24 min. 03 sec. East 215.68 feet, arc 220.62 feet, Radius 299.77 feet to a concrete monument set; thence along new lines dividing the aforesaid Watauga County property, the following three (3) courses and distances: (1) South 00 deg. 04 min. 09 sec. East 254.18 feet to an iron rod set; (2) North 89 deg. 04 min. 09 sec. West 270.00 feet to an iron rod set and (3) North 67 deg. 52 min. 24 sec. West 267.71 feet to the point of BEGINNING.

The above described property is conveyed subject to the following restrictive covenants:

1. CONSTRUCTION MATERIALS: The use of materials shall be subject to the approval of the Planning and Inspections Department of Watauga County as provided for in Paragraph 7 of these Restrictive Covenants.

2. ALLOWABLE AND PROHIBITED USES: Except with respect to the ancillary and accessory uses hereinafter allowed, each site or lot shall be used for industrial purposes only and strictly commerial, retail or wholesale sales, sales performed in conjunction with manufacturing, assembly skills training or other industrial processes on the lot or site, and no office buildings, except office space for the EOC or offices necessary to the operation of the site for manufacturing, assembly, skills training or other industrial process on the lot or site shall be allowed. By way of illustration and not of limitation, the term "industrial" shall include manufacturing assembly and skills training. A service related business is not expressly prohibited so long as same is industrial in nature; the final decision as to what constitutes an industrial purpose shall rest with Watauga County. Ancillary and accessory uses which are herby permitted shall include parking areas, landscaping, walking paths, recreational uses and sales, either wholesale or retail; provided, however that any recreational area or sales area shall each be no longer than 10% of the total square feet in the building on the lot or site. No site or lot shall be used for any purpose or business which is considered dangerous or unsafe, or which constitutes a nuisance or is noxious or offensive by reason of emission of dust, odor, gas, smoke, fumes or noise.

3. STORAGE YARDS: Outdoor storage yards shall be screened from public view and shall be placed so as to conform with the building line restrictions set forth in paragraph 8 of these restrictive covenants.

4. PARKING: Owners of lots shall not permit their employees or tenants to regularly park during business hours on public streets within such Industrial Park. It wil be the responsibility of such owners, their successors, assigns or other persons holding under them to provide adequate off-street parking for employees and visitors within their property lines. All such parking areas shall be covered with a hard, dust-free, paved surface.

5. BUILDING SITE RATIO: The ratio of building coverage to the total site area will be subject to the requirements of the Town of Boone Zoning Ordinance.

6. APPROVAL OF PLANS: Before commencing the construction or alteration of all buildings, enclosures, fences, loading docks,

Description on Deed from Watauga County to Carroll Leather Goods, Page 2 - Continued

parking facilities, storage yards, outdoor signs or any other structures or permanent improvement on or to any site or lot within such Industrial Park, the property owner shall first submit plans or plans and specifications therefore to the Planning and Inspections Department of Watauga County for its written approval of matters not otherwise subject to Town of Boone or State of North Carolina review, permit or planning board approval. In the event that such Department or its designated representative shall fail to approve or disapprove such building plans, specifications or site plans within 30 days after they have been submitted to the Department, such approval will not be required and this covenant will be deemed to have been complied with.

7. SETBACKS: All building setbacks shall conform to the requirements of the zoning ordinance of the Town of Boone.

8. CONDITION OF PROPERTY: The owner of any site or lot shall at all times keep the premises, buildings, improvements and appurtenances in a safe, clean, wholesale condition and comply in all respects with all government, health, fire, and police requirements and regulations; and the owner will remove at his or its own expense any rubbish or any character whatsoever which may accumulate on such site or lot. In the event such owner fails to comply with any or all of such specifications or requirements, then Watauga County shall have the right, privilege and license to enter upon such premises and make any and all corrections or improvements that may be necessary to meet such standards and to charge such owner the expenses incurred in doing so.

9. CONSTRUCTION PERIOD: If after the expiration of one year from the date of closing of the sale of any lot lying within such Industrial Park, or after the expiration of one year from the date of completion of utilities, whichever is later, any purchaser shall not have begun in good faith the construction of a permanent building upon each lot, Watauga County retains the option to rescind such contract, refund the purchase price, and enter into possession of such land. If, after the expiration of one year from the date of commencement of construction of any such permanent building upon such lot, any owner shall not have completed said building and began industrious operations, then such owner shall be subject to the rights and remedies set forth in paragraph 14 hereof. However Watauga County, its successors or assigns may extend in writing the time at which such construction may be begun.

10. APPROVAL OF SALE: Any proposed sale of a lot or site by any owner thereof shall be subject to review and approval by Watauga County, its successors and assigns, for the limited and specific purposes of assuring that any proposed use by the proposed purchaser will be labor intensive, industrial in nature and otherwise in compliance with the Industrial Park Procedures and guidelines and Industrial Park Development promulgated by Watauga County and applicable at the time of such sale.

11. PARTIAL INVALIDITY: The invalidation of any one of the restrictions herein set forth or the failure to enforce any of such restrictions at the time of his violation, shall in no event affect any of the other restrictions not be deemed a waiver of the right to enforce the same thereafter.

12. TERM: Each condition and covenant herein contained shall continue through and including January 1, 2006, and shall continue thereafter for successive ten (10) year periods unless the then owners of a majority of the area in square feet within such Industrial Park by written declaration, signed, acknowledged by them and duly recorded in Office of the Register of Deeds for Watauga County, North Carolina, shall terminate such restrictions, conditions and covenants during the first year of any such ten (10) year period.

13. BENEFICIARIES: These restrictions and covenants are made for the benefit of any and all persons who may now own or who may hereafter own property in such Industrial Park. Such persons are specifically given the right to enforce these restrictions and covenants by injunction or other lawful procedure, and to recover damages resulting from any violation thereof.

The above described property is conveyed subject to any and all street, road and utility rights of way of record.

For Corr. Deed See Bkg Records 307 FILED
Pg. 335 WANDA C. SCOTT
REGISTER OF DEEDS

93 APR 16 PM 4:52
BY: Eva Lee Adams
DEPUTY
WATAUGA COUNTY, NC

84-221

BK0241PG615

Excise Tax | Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the ____ day of _____, 19_____
by _____

Mail after recording to ___CARROLL LEATHER GOODS, INC., of:

This instrument was prepared by: Eggers, Eggers and Eggers, Attorneys at Law, Boone, North Carolina 28607
Brief description for the Index (Without a Title Search Prepared by this Office)

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED, made this 15th day of February, 1993, by and between:

GRANTOR	GRANTEE
WATAUGA COUNTY, A N. C. BODY POLITIC	CARROLL LEATHER GOODS, INC., A N. C. CORPORATION

Enter in appropriate block for each party, name, address, and if, appropriate, character of entity, e.g. corporation or partnership

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Township of NEW RIVER, County of WATAUGA, North Carolina and more particularly described as follows:

"SEE ATTACHED SCHEDULE "A" FOR DESCRIPTION OF PROPERTY."

TAX INFORMATION RECORDED
4-16-93 B.S.
Tax Supervisor

BK 0241 PG 616

The property hereinabove described was acquired by Grantor by instrument recorded in Book 249 at Page 600, Watauga County Registry.

A map showing the above described property is recorded in Plat Book ____ at Page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereunto belonging to the Grantee in fee simple, subject to portion of drainage easement listed above, and subject to restrictions listed above, and subject to any and all other street, road and utility rights of way of record.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, and has the right to convey the same in fee simple, that title is marketable and and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions.

Subject to portion of drainage easement referred to above, and conditions, restrictions and reservations as referred to above, and subject to any and all other street, road and utility rights of way of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, the day and year first above written.

WATAUGA COUNTY, A N. C. BODY POLITIC

ATTEST:

Roberta M. Watson
CLERK TO THE BOARD OF COUNTY COMMISSIONERS

BY: James Wilcox
CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

(SEAL)

****

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

I, Cheryl Maynard, Notary Public, do hereby certify that Roberta M. Watson personally appeared before me this day and acknowledged that she is the _____ Clerk to the Board of County Commissioners for Watauga County, a N. C. body politic, and that by authority duly given, and as an act of said body politic, the foregoing instrument was signed in its name by its _____ Chairman to the Board of County Commissioners, sealed with its corporate seal, and attested by her self as its _____ Clerk.

WITNESS my hand and notarial seal, this 13th day of April, 1993.

Cheryl Maynard
Notary Public

My commission expires 2/5/97

NORTH CAROLINA
WATAUGA COUNTY

The foregoing certificate of Cheryl Maynard, Notary Public, Watauga County ,N.C. is certified to be correct.
This the 16th day of April 1991.

Wanda C.Scott-Register of Deeds.

by Eva Lee Shaw
Deputy

Page One of Schedule "A" to be attached to Warranty Deed dated February 15, 1993, executed by Watauga County, a N.C. Body Politic, to Carroll Leather Goods, Inc., a N. C. Corporation:

NEW RIVER TOWNSHIP SCHEDULE "A" WATAUGA COUNTY, N. C.

BEING all that tract of land containing 3.340 acres by coordinate geometry, lying on the north side of U.S. Highway #421 in New River Township, Watauga County, North Carolina, bounded by natural boundaries and/or land owned by persons as follows: on the north by the southern ege of the 60 foot right of way along NCSR #1401, commonly known as Industrial Park Drive, on the east by Watauga County, a body politic, on the south by NC DOT (Right of way along U.S. Highway 421 under construction, Reference: book of records 217 at page 087) on the west by the eastern edge of the aforesaid 60 foot right of way along Industrial Park Drive and a 3.542 acre tract, the Carroll Leather Goods, Inc., property (Book of Records 170 at Page 387) and being more particularly described by courses (N.C. Grid) and distances (Horizontal Surface, unless noted); according to a survey performed January 1993 by Municipal Engineering Services Co., P.A. under the direction and supervision of C. Neal Bare, RLS L-2425, as follows:

BEGINNING on an iron rebar on the southeast corner of the aforesaid Carroll Leather Goods property, said iron being North 46 deg. 03 min. 21 sec. West 3405.087 feet (Grid) combined factor 0.999861953 from NCGS control monument "Hills 1990" having a NC Grid coordinate value of N= 907,501.1639, E=1,222,329.822 (N.A.D 1983;) thence from the point of beginning and along the eastern boundary of the aforesaid Carroll Leather Goods property, North 00 deg. 04 min. 09 sec. West 254.18 feet to an existing concrete monument in the southern edge of the 60 foot right of way along Industrial Park Drive; thence along said right of way along a curve to the left a Chord North 80 deg. 35 min. 07 sec. East 41.0851 feet, Arc 41.1173, Radius 299,7684 to the point of tangency, continuing along edge of right of way, North 76 deg. 38 min. 21 sec. East 8.83 feet to an iron rebar set; thence South 05 deg. 53 min. 22 sec. East 416.80 feet to an iron set in the northern edge of a permanent drainage easement (Book of Records 217 at Page 090), continuing 75.75 feet for a total distance of 492.55 feet to an iron set in the northern edge of the aforesaid N.C. DOT right of way; thence along the northern edge of said right of way, the following four (4) courses and distances: (1) North 82 deg. 18 min. 44 sec. West 141.66 feet to an iron rebar; (2) North 84 deg. 32 min. 29 sec. West 100.00 feet to an iron rebar; (3) South 85 deg. 35 min. 50 sec. West 181.00 feet to an iron rebar; and (4) North 69 deg. 13 min. 34 sec. West 170.37 feet to an iron rebar set in the eastern edge of the aforesaid right of way along Industrial Park Drive; thence along said right of way, North 08 deg. 19 min. 10 sec. West 259.97 feet to an existing concrete monument at the southwest corner of the aforesaid Carroll Leather Goods property; thence along the southern boundary line of said property, the following two (2) courses and distances: (1) South 67 deg. 52 min. 24 sec. East 267.71 feet to an

Page Two of Schedule "A" to be attached to Warranty Deed dated February 15, 1993, executed by Watauga County, a N. C. body politic, to Carroll Leather Goods, a N. C. Corporation:

iron rebar; and (2) South 89 deg. 04 min. 09 sec. East 270.00 feet to the point of BEGINNING.

The 3.340 acres described herein being subject to a portion of the drainage easement (Book of Records 217 at Page 090) and all other rights of way and easements of record.

The above described property is conveyed subject to any and all other street, road and utility rights of way or easements of record.

The above described property is conveyed subject to the following restrictive covenants:

1. CONSTRUCTION MATERIALS: The use of materials shall be subject to the approval of the Planning and Inspections Department of Watauga County as provided for in Paragraph 7 of these Restrictive Covenants.

2. ALLOWABLE AND PROHIBITED USES: Except with respect to the ancillary and accessory uses hereinafter allowed, each site or lot shall be used for industrial purposes only and strictly commercial, retail or wholesale sales, sales performed in conjunction with manufacturing, assembly skills training or other industrial processes on the lot or site, and no office buildings, except Page office space for the EOC or offices necessary to the operation of the site for manufacturing, assembly, skills training or other industrial process on the lot or site shall be allowed. By way of illustration and not of limitation, the term "industrial" shall include manufacturing assembly and skills training. A service related business is not expressly prohibited so long as same is industrial in nature; the final decision as to what constitutes an industrial purpose shall rest with Watauga County. Ancillary and accessory uses which are hereby permitted shall include parking areas, landscaping, walking paths, recreational uses and sales, either wholesale or retail; provided, however that any recreational area or sales area shall each be no longer than 10% of the total square feet in the building on the lot or site. No site or lot shall be used for any purpose or business which is considered dangerous or unsafe, or which constitutes a nuisance or is noxious or offensive by reason of emission of dust, odor, gas, smoke, fumes or noise.

3. STORAGE YARDS: Outdoor storage yards shall be screened from public view and shall be placed so as to conform with the building line restrictions set forth in paragraph 8 of these Restrictive Covenants.

4. PARKING: Owners of lots shall not permit their employees or

Page Three of Schedule "A" to be attached to Warranty Deed dated February 15, 1993, executed by Watauga County, a N. C. Body Politic, to Carroll Leather Goods, a N. C. Corporation:

tenants to regularly park during business hours or public streets within such Industrial Park. It will be the responsibility of such owners, their successors, assigns or other persons holding under them to provide adequate off-street parking for employees and visitors within their property lines. All such parking areas shall be covered with a hard, dust-free, paved surface.

5. BUILDING-SITE RATIO: The ratio of building coverage to the total site area will be subject to the requirements of the Town of Boone Zoning Ordinance.

6. APPROVAL OF PLANS: Before commencing the construction or alteration of all buildings, enclosures, fences, loading docks, parking facilities, storage yards, outdoor signs or any other structures or permanent improvement on or to any site or lot within such Industrial Park, the property owner shall first submit site plans or plans and specifications therefore to the Planning and Inspections Department of Watauga County, for its written approval of matters not otherwise subject to Town of Boone or State of North Carolina review, permit or planning board approval. In the event such Department or its designated representative shall fail to approve or disapprove such building plans, specifications or site plans within thirty (30) days after they have been submitted to the Department, such approval will not be required and this covenant will be deemed to have been complied with.

7. SETBACKS: All building setbacks shall conform to the requirements of the zoning ordinance of the Town of Boone.

8. CONDITION OF PROPERTY: The owner of any site or lot shall at all times keep the premises, buildings, improvements, and appurtenances in a safe, clean, wholesale condition and comply in all respects with all government, health, fire and police requirements and regulations; and the owner will remove at his or its own expense any rubbish or any character whatsoever which may accumulate on such site or lot. In the event such owner fails to comply with any or all of such specifications or requirements, then Watauga County shall have the right, privilege and license to enter upon such premises and make any and all corrections or improvements that may be necessary to meet such standards and to charge such owner the expenses incurred in doing so.

9. CONSTRUCTION PERIOD: If after the expiration of one year from the date of closing of the sale of any lot lying within such Industrial Park, or after the expiration of one year from the date of completion of utilities, whichever is later, any purchaser shall not have begun in good faith the construction of a permanent building upon such lot, Watauga County retains the option to rescind such contract, refund the purchase price and enter into possession of such land. If, after the expiration of one year from the date of commencement of construction of any such permanent building upon such lot, any owner shall not have completed said building and began industrious operations, then such owner shall be subject to the rights and remedies set forth in paragraph 14

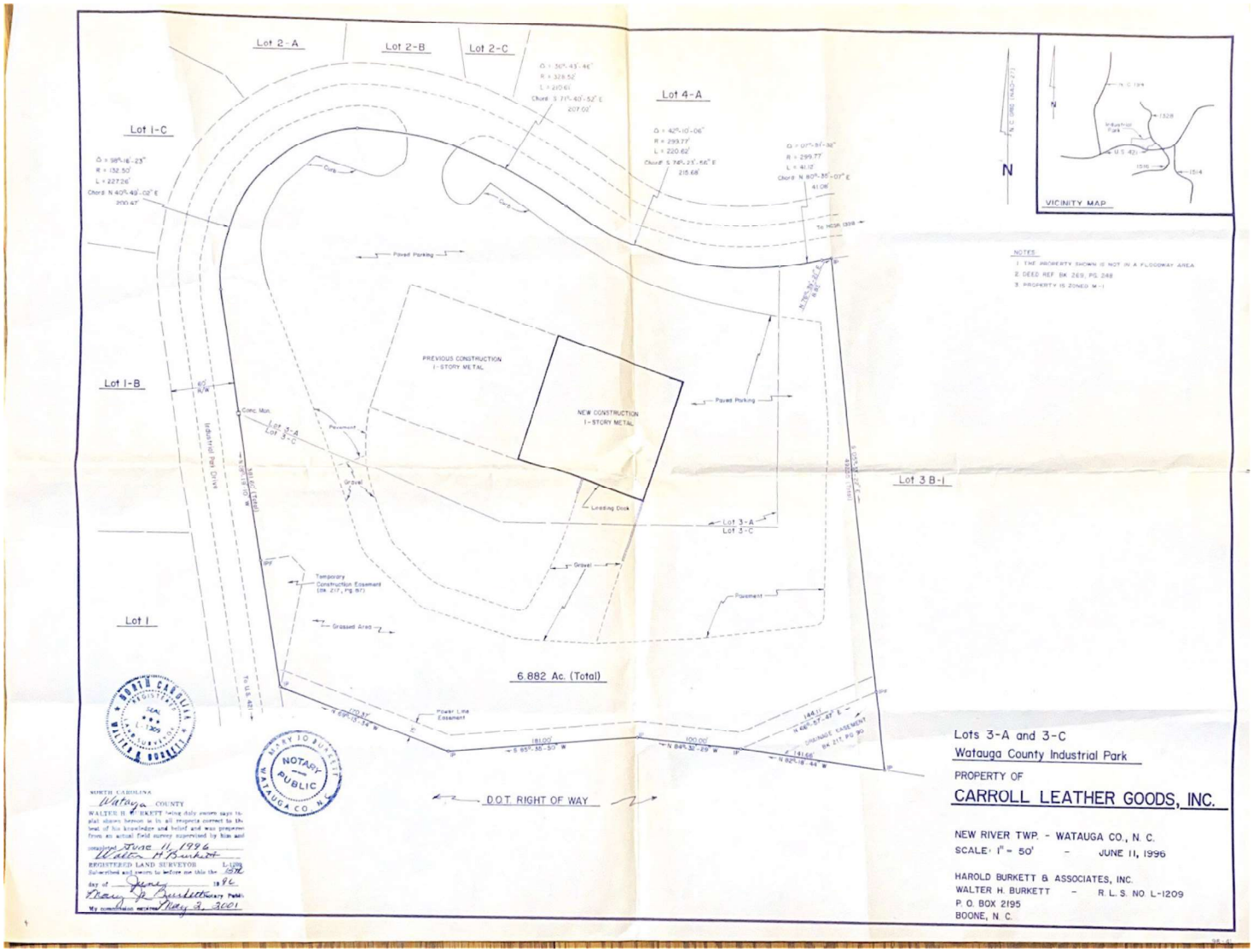
hereof. However Watauga County, its successors or assigns may extend in writing the time in which construction may be begun.

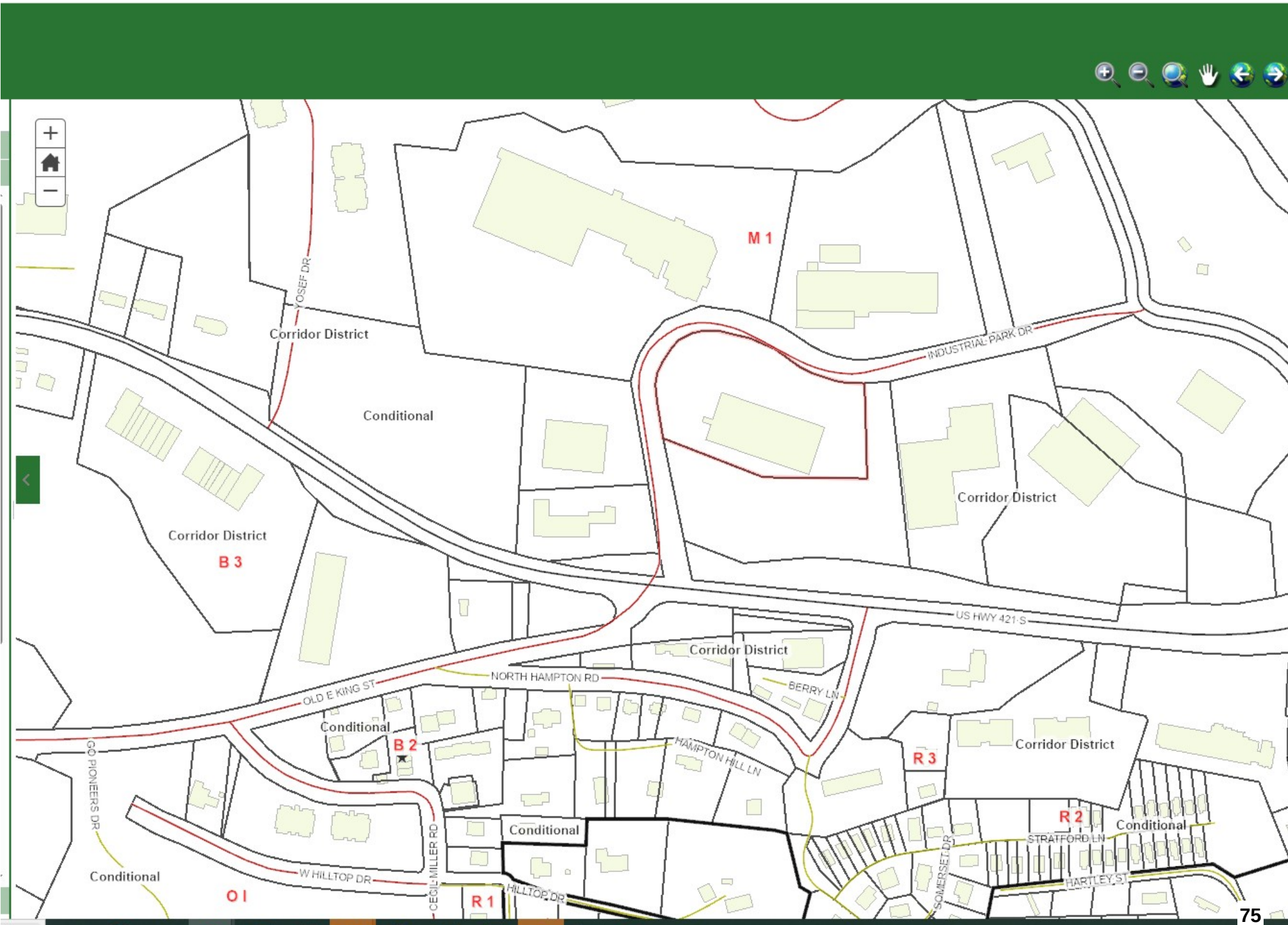
10. APPROVAL OF SALE: Any proposed sale of a lot or site by any owner thereof shall be subject to review and approval by Watauga County, it successors and assigns, for the limited and specific purposes of assuring that any proposed use by the proposed purchaser will be labor intensive, industrial in nature and otherwise in compliance with the Industrial Park Procedures and Guidelines and Industrial Park Development promulgated by Watauga County and applicable at the time of such proposed sale.

11. PARTIAL INVALIDITY: The invalidation of any one of the restrictions herein set forth or the failure to enforce any of such restrictions at the time of its violation, shall in no event affect any of the other restrictions not be deemed a waiver of the right to enforce the same thereafter.

12. TERM: Each condition and covenant herein contained shall continue through and including January 1, 2006 and shall continue thereafter for successive ten (10) year periods unless the then owners of a majority of the area in square feet within such Industrial Park by written declaration, signed, acknowledged by them and duly recorded in Office of the Register of Deeds for Watauga County, North Carolina, shall terminate such restrictions, conditions and covenants during the first year of any such ten (10) year period.

13. These restrictions and covenants are made for the benefit of any and all persons who may now own or who may hereafter own property in such Industrial Park. Such persons are specifically given the right to enforce these restrictions and covenants by injunction or other lawful procedure, and to recover damages resulting from any violation thereof.


Lot 2-A
Lot 2-B
Lot 2-C
Lot 4-A
Lot 1-C
Lot 1-B
Lot 1
Lot 3B-1
Lot 3-A
Lot 3-C
PREVIOUS CONSTRUCTION
1-STORY METAL
NEW CONSTRUCTION
1-STORY METAL
Paved Parking
Gravel
Grassed Area
Pavement
Loading Dock
Temporary Construction Easement
(Bk. 217, Pg. 87)
Power Line Easement
Industrial Park Drive
6.882 Ac. (Total)
D.O.T. RIGHT OF WAY
VICINITY MAP
NOTES
1. THE PROPERTY SHOWN IS NOT IN A FLOODWAY AREA
2. DEED REF. BK. 269, PG. 248
3. PROPERTY IS ZONED M-1
NORTH CAROLINA
Watauga COUNTY
WALTER H. BURKETT being duly sworn says that plat shown hereon is in all respects correct to the best of his knowledge and belief and was prepared from an actual field survey supervised by him and completed June 11, 1996
Walter H Burkett
REGISTERED LAND SURVEYOR L-1209
Subscribed and sworn to before me this the 19th day of June 1996
Mary Jo Burkett Notary Public
My commission expires May 3, 2001
MARY JO BURKETT NOTARY PUBLIC WATAUGA CO., N.C.
Lots 3-A and 3-C
Watauga County Industrial Park
PROPERTY OF
CARROLL LEATHER GOODS, INC.
NEW RIVER TWP. - WATAUGA CO., N. C.
SCALE: 1" = 50' - JUNE 11, 1996
HAROLD BURKETT & ASSOCIATES, INC.
WALTER H. BURKETT - R. L. S. NO. L-1209
P. O. BOX 2195
BOONE, N. C.


M 1
JOSEF DR
Corridor District
INDUSTRIAL PARK DR
Conditional
Corridor District
Corridor District
B 3
US HWY 421-S
Corridor District
NORTH HAMPTON RD
OLD E KING ST
BERRY LN
Conditional
B 2
HAMPTON HILL LN
Corridor District
R 3
GO PIONEERS DR
R 2
Conditional
Conditional
STRATFORD LN
CECIL MILLER RD
W HILLTOP DR
HILLTOP DR
SOMERSET DR
HARTLEY ST
Conditional
O I
R 1

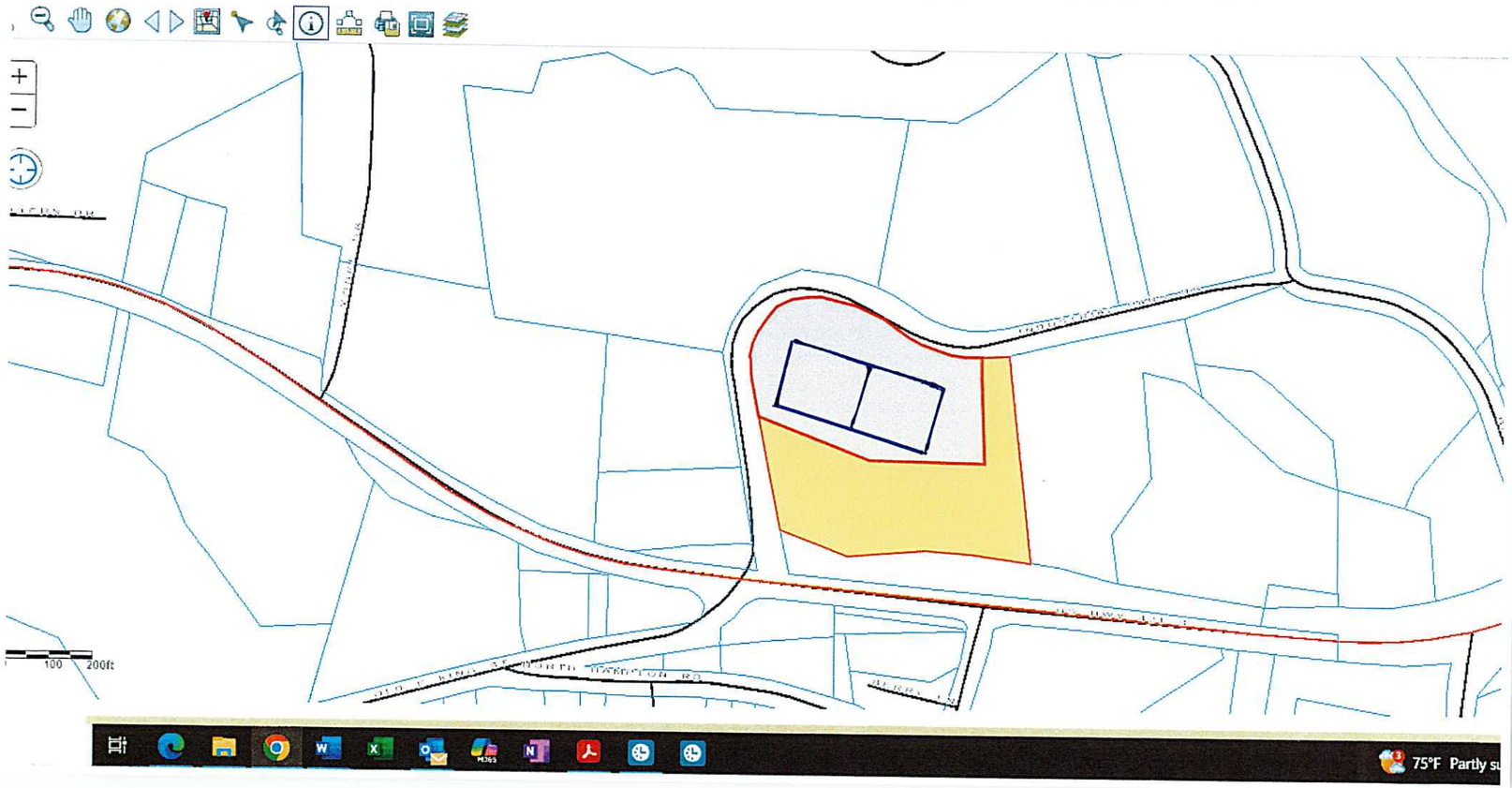
Watauga County, NC | Amy J. Shook Register of Dee | Amy J. Shook Register of Dee | Amy J. Shook Register of Dee | Amy J. Shook Register of Dee

WataugaNC/maps/map.aspx?sIndex=1&idx=1&LMparent=20

Watauga County
North Carolina

Home | Property Records | County Website | Contact Us

D: 2910995982000
ROLL COMPANIES,INC,



75°F Partly su

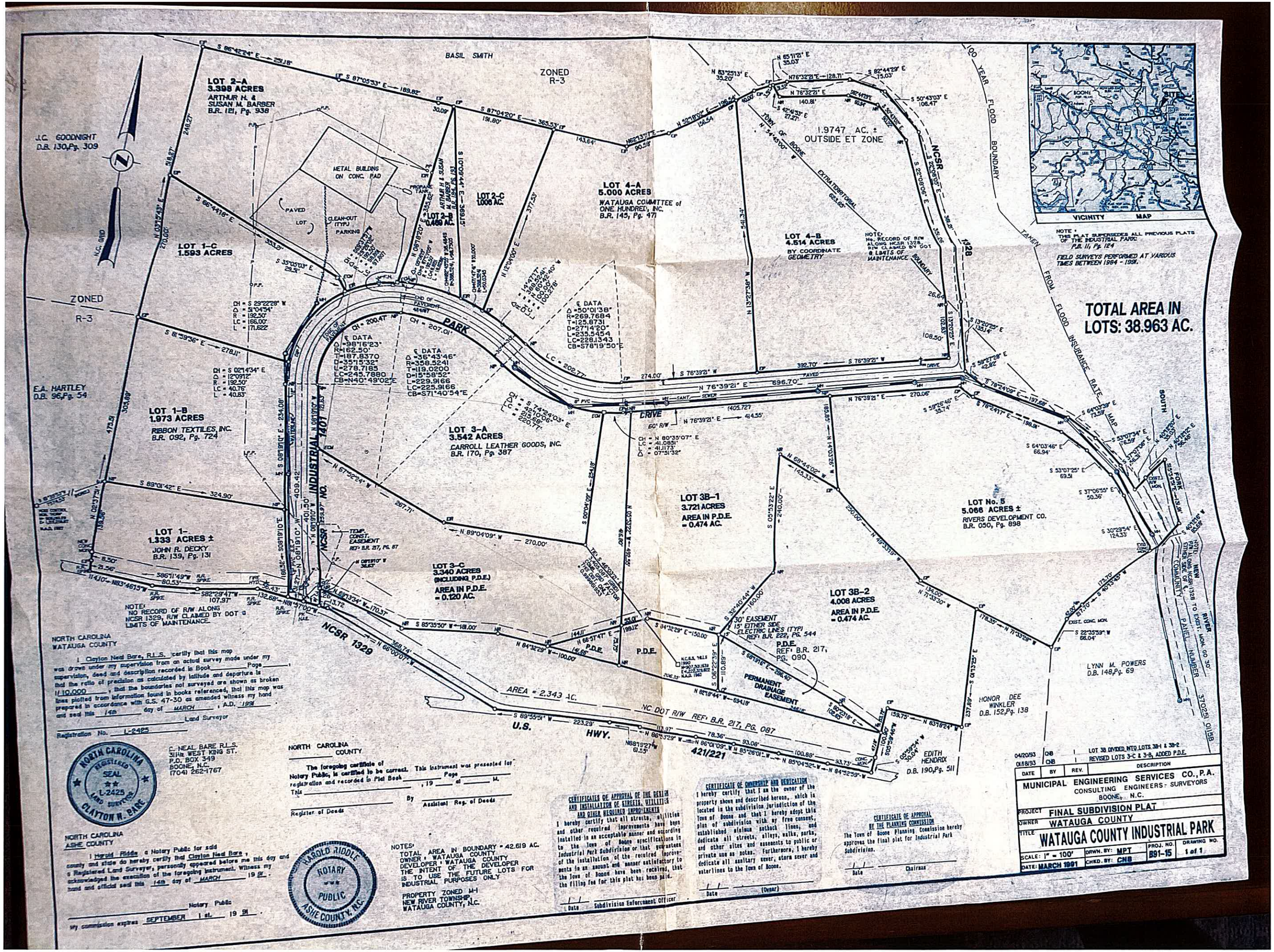


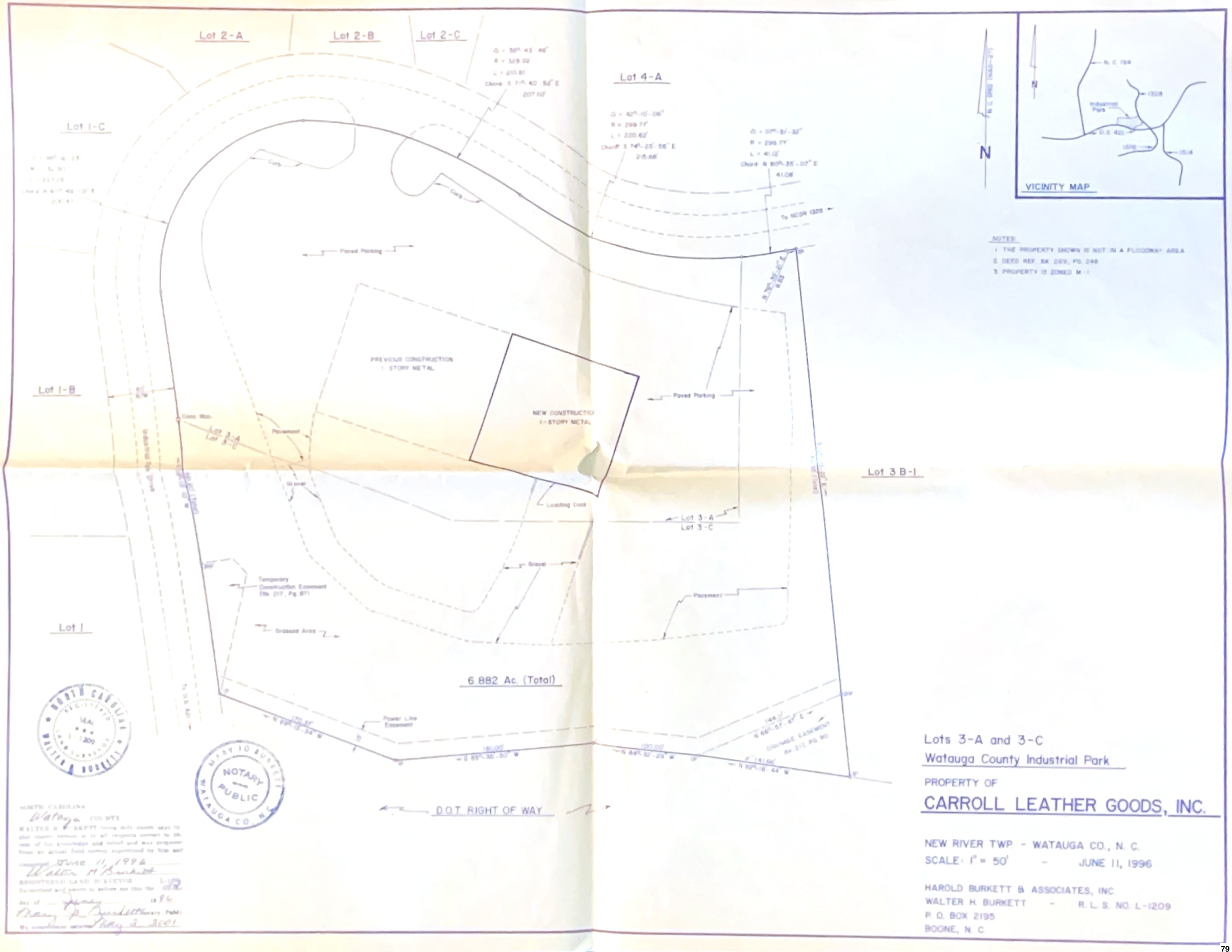
April 4, 2025

1:1,514

0 0.02 0.04 0.07 mi

0 0.03 0.06 0.12 km


BASIL SMITH
ZONED R-3
LOT 2-A
3.398 ACRES
ARTHUR H. & SUSAN M. BARBER
B.R. 121, Pg. 938
J.C. GOODNIGHT
D.B. 130, Pg. 309
METAL BUILDING ON CONC. PAD
PROPANE TANK
PAVED LOT
CLEAN-OUT (TYP.) PARKING
LOT 2-B
0.469 AC.
LOT 2-C
1.006 AC.
LOT 4-A
5.000 ACRES
WATAUGA COMMITTEE of ONE HUNDRED, INC.
B.R. 145, Pg. 471
1.9747 AC. ± OUTSIDE ET ZONE
TOWN OF BOONE EXTRATERRITORIAL
LOT 4-B
4.514 ACRES
BY COORDINATE GEOMETRY
NOTE: NO RECORD OF R/W ALONG NCSR 1328, R/W CLAIMED BY DOT & LIMITS OF MAINTENANCE
BOUNDARY
100 YEAR FLOOD BOUNDARY
TAKEN FROM FLOOD INSURANCE RATE MAP
VICINITY MAP
NOTE * THIS PLAT SUPERSEDES ALL PREVIOUS PLATS OF THE INDUSTRIAL PARK P.B. 11, Pg. 124
FIELD SURVEYS PERFORMED AT VARIOUS TIMES BETWEEN 1984 - 1991.
TOTAL AREA IN LOTS: 38.963 AC.
LOT 1-C
1.593 ACRES
ZONED R-3
E.A. HARTLEY
D.B. 96, Pg. 54
LOT 1-B
1.973 ACRES
RIBBON TEXTILES, INC.
B.R. 092, Pg. 724
PARK
CUL-DE-SAC
INDUSTRIAL PARK NO. 1
LOT 3-A
3.542 ACRES
CARROLL LEATHER GOODS, INC.
B.R. 170, Pg. 387
DRIVE
60' R/W
LOT 3B-1
3.721 ACRES
AREA IN P.D.E. = 0.474 AC.
LOT No. 5
5.066 ACRES ±
RIVERS DEVELOPMENT CO.
B.R. 050, Pg. 898
LOT 1-
1.333 ACRES ±
JOHN R. DECKY
B.R. 139, Pg. 131
NOTE: NO RECORD OF R/W ALONG NCSR 1329, R/W CLAIMED BY DOT & LIMITS OF MAINTENANCE
NCSR 1329
TEMP. CONST. EASEMENT REF: B.R. 217, Pg. 87
LOT 3-C
3.340 ACRES (INCLUDING P.D.E.)
AREA IN P.D.E. = 0.120 AC.
LOT 3B-2
4.008 ACRES
AREA IN P.D.E. = 0.474 AC.
30' EASEMENT
15' EITHER SIDE ELECTRIC LINES (TYP.)
REF: B.R. 222, Pg. 544
P.D.E. REF: B.R. 217, PG. 090
PERMANENT DRAINAGE EASEMENT
AREA = 2.343 AC.
NC DOT R/W REF: B.R. 217, PG. 087
U.S. HWY. 421/221
LYNN M. POWERS
D.B. 148, Pg. 69
HONOR DEE WINKLER
D.B. 152, Pg. 138
EDITH HENDRIX
D.B. 190, Pg. 511
SOUTH FORK NEW RIVER
PARCEL NUMBER 3702510158
NORTH CAROLINA WATAUGA COUNTY
I, Clayton Neal Bare, R.L.S., certify that this map was drawn under my supervision from an actual survey made under my supervision, deed and description recorded in Book _____ Page _____, that the ratio of precision as calculated by latitude and departure is 1/10,000, that the boundaries not surveyed are shown as broken lines plotted from information found in books referenced, that this map was prepared in accordance with G.S. 47-30 as amended witness my hand and seal this 14th day of MARCH, A.D. 1991
Land Surveyor
Registration No. L-2425
C. NEAL BARE R.L.S. 3114 WEST KING ST. P.O. BOX 349 BOONE, N.C. (704) 262-1767
NORTH CAROLINA REGISTERED SEAL L-2425 LAND SURVEYOR CLAYTON N. BARE
NORTH CAROLINA ASHE COUNTY
I Harold Riddle a Notary Public for said county and state do hereby certify that Clayton Neal Bare, a Registered Land Surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official seal this 14th day of MARCH 19 91.
Notary Public
My commission expires SEPTEMBER 1st, 19 91.
HAROLD RIDDLE NOTARY PUBLIC ASHE COUNTY, N.C.
NORTH CAROLINA _____ COUNTY
The foregoing certificate of Notary Public, is certified to be correct. This instrument was presented for registration and recorded in Plat Book _____, Page _____, This _____, 19 ____ at ____ M.
By _____ Assistant Reg. of Deeds
Register of Deeds
NOTES:
TOTAL AREA IN BOUNDARY = 42.619 AC.
OWNER: WATAUGA COUNTY
DEVELOPER: WATAUGA COUNTY
THE INTENT OF THE DEVELOPER IS TO USE THE FUTURE LOTS FOR INDUSTRIAL PURPOSES ONLY
PROPERTY ZONED M-1
NEW RIVER TOWNSHIP
WATAUGA COUNTY, N.C.
CERTIFICATES OF APPROVAL OF THE DESIGN AND INSTALLATION OF STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS
I hereby certify that all streets, utilities and other required improvements have been installed in an acceptable manner and according to the Town of Boone specifications in Industrial Park Subdivision or that guarantees of the installation of the required improvements in an amount and manner satisfactory to the Town of Boone have been received, that the filing fee for this plat has been paid.
Date Subdivision Enforcement Officer
CERTIFICATE OF OWNERSHIP AND DEDICATION
I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Boone and that I hereby adopt this plan of subdivision with my free consent, establish minimum setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby dedicate all sanitary sewer, storm sewer and waterlines to the Town of Boone.
Date (Owner)
CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION
The Town of Boone Planning Commission hereby approves the final plat for Industrial Park Subdivision.
Date Chairman
04/20/93 CNB 1 LOT 3B DIVIDED INTO LOTS 3B-1 & 3B-2
04/18/93 CNB 1 REVISED LOTS 3-C & 3-B, ADDED P.D.E.
DATE BY REV. DESCRIPTION
MUNICIPAL ENGINEERING SERVICES CO., P.A.
CONSULTING ENGINEERS - SURVEYORS
BOONE, N.C.
PROJECT FINAL SUBDIVISION PLAT
OWNER WATAUGA COUNTY
TITLE WATAUGA COUNTY INDUSTRIAL PARK
SCALE: 1" = 100' DRWN. BY: MPT PROJ. NO. 891-15 DRAWING NO. 1 of 1
DATE: MARCH 1991 CHKD. BY: CNB



NOTES:

1. THE PROPERTY SHOWN IS NOT IN A FLOODWAY AREA
2. DEED REF. BK. 269, PG. 246
3. PROPERTY IS ZONED M-1

NORTH CAROLINA
Watauga COUNTY

WALTER H. BURKETT having duly sworn says to the best of his knowledge and belief and was prepared from an actual field survey supervised by him and

June 11, 1996

Walter H Burkett
REGISTERED LAND SURVEYOR L-1209

Sworn to and subscribed before me this the 12th day of January 1996

Notary Public

My commission expires March 3, 2001

NORTH CAROLINA REGISTERED LAND SURVEYOR L-1209 WALTER H. BURKETT

MAY 10 BURKETT NOTARY PUBLIC WATAUGA CO., N.C.

Lots 3-A and 3-C
Watauga County Industrial Park

PROPERTY OF

CARROLL LEATHER GOODS, INC.

NEW RIVER TWP. - WATAUGA CO., N. C.
SCALE: 1" = 50' - JUNE 11, 1996

HAROLD BURKETT & ASSOCIATES, INC.
WALTER H. BURKETT - R. L. S. NO. L-1209
P. O. BOX 2195
BOONE, N. C.

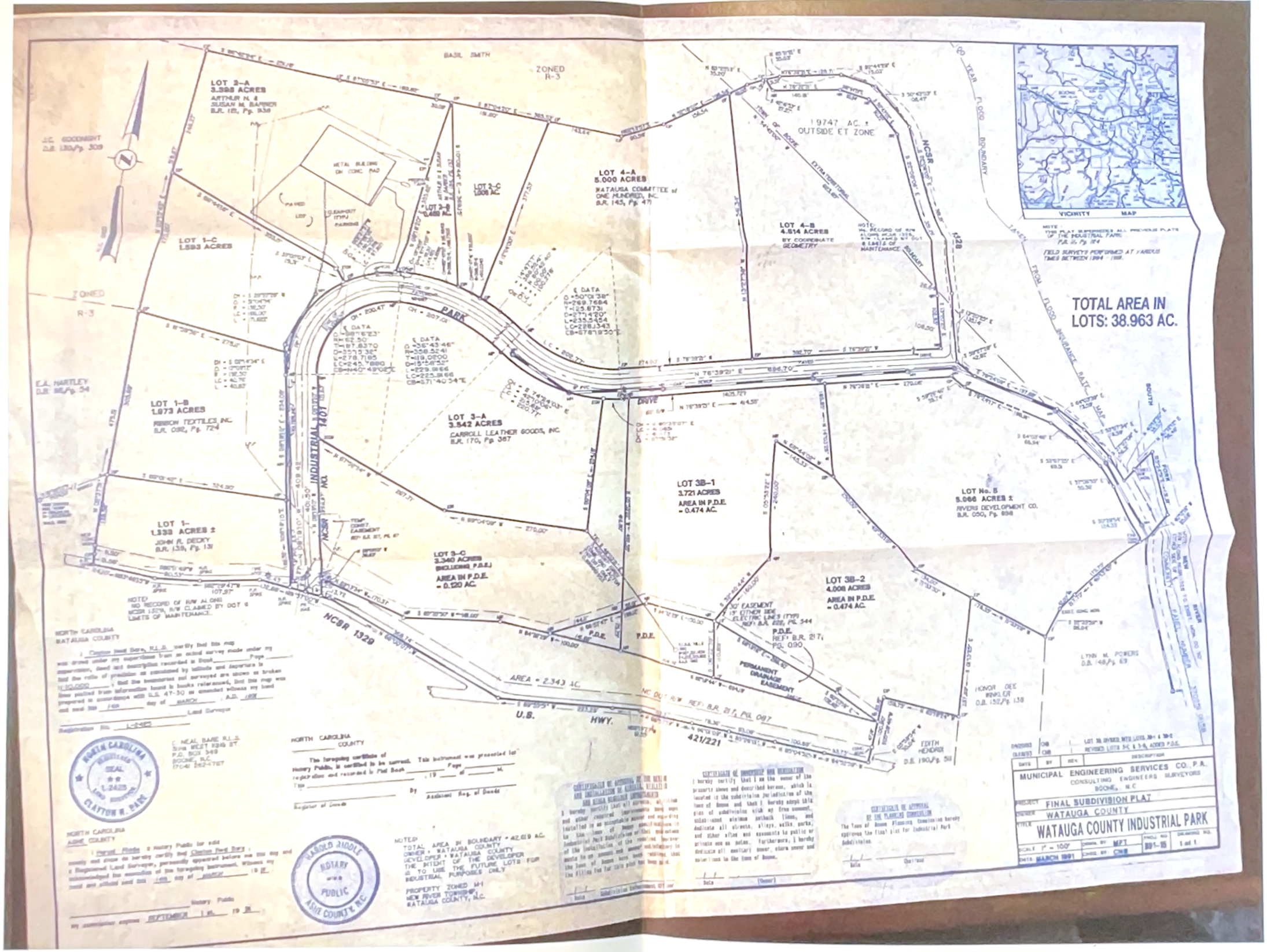

LOT 2-A
3.558 ACRES
ARTHUR N. & SUSAN M. BARKER
B.R. 115, Pg. 938
ZONED R-3
LOT 1-C
1.593 ACRES
LOT 1-B
1.973 ACRES
RIBBON TEXTILES INC.
B.R. 092, Pg. 724
LOT 1-
1.333 ACRES ±
JOHN R. DECKY
B.R. 139, Pg. 131
LOT 4-A
5.000 ACRES
WATAUGA COMMITTEE of ONE HUNDRED, INC.
B.R. 143, Pg. 47
LOT 4-B
4.514 ACRES
BY COORDINATE GEOMETRY
19747 AC. ± OUTSIDE ET ZONE
LOT 3-A
3.542 ACRES
CARROLL LEATHER GOODS, INC.
B.R. 170, Pg. 387
LOT 3B-1
3.721 ACRES
AREA IN P.D.E. = 0.474 AC.
LOT 3-C
3.340 ACRES (INCLUDING P.D.E.)
AREA IN P.D.E. = 0.120 AC.
LOT 3B-2
4.008 ACRES
AREA IN P.D.E. = 0.474 AC.
LOT No. 5
5.066 ACRES ±
RIVERS DEVELOPMENT CO.
B.R. 050, Pg. 898
PARK
INDUSTRIAL DRIVE
DRIVE
NCSR 1329
NCSR 1428
U.S. HWY. 421/221
AREA = 2.343 AC.
NC DOT R/W REF: B.R. 217, PG. 097
PERMANENT DRAINAGE EASEMENT
30' EASEMENT 15' EITHER SIDE ELECTRIC LINES (TYP) REF: B.R. 222, PG. 544
P.D.E. REF: B.R. 217, PG. 090
TOP OF BOONE EXTRATERRITORIAL BOUNDARY
100 YEAR FLOOD BOUNDARY
FLOOD INSURANCE RATE MAP
VICINITY MAP
TOTAL AREA IN LOTS: 38.963 AC.
FIELD SURVEYS PERFORMED AT VARIOUS TIMES BETWEEN 1984 - 1991
J.C. GOODNIGHT D.B. 130/Pg. 309
E.A. HARTLEY D.B. 98/Pg. 54
BASIL SMITH
EDITH HENDRIX D.B. 190/Pg. 58
HONOR DEE BINGLER D.B. 152/Pg. 138
LYNN M. POWERS D.B. 148/Pg. 69
METAL BUILDING ON CONC. PAD
GRAVEL PARKING
PAVED LOT
TEMP. CONST. EASEMENT
NOTED NO RECORD OF R/W ALONG NCSR 1329, R/W CLAIMED BY DOT & LIMITS OF MAINTENANCE.
NOTE: THIS PLAT SUPERSEDES ALL PREVIOUS PLATS OF THE INDUSTRIAL PARK P.B. 16, Pg. 174
NORTH CAROLINA WATAUGA COUNTY
I, Clayton Reed Bare, R.L.S. certify that this map was drawn under my supervision from an actual survey made under my supervision, deed and description recorded in Book ____ Page ____ that the ratio of precision as calculated by latitudes and departures is 1:10,000 ____; that the boundaries not surveyed are shown as broken lines plotted from information found in books referenced, that this map was prepared in accordance with G.S. 47-30 as amended witness my hand and seal this 14th day of MARCH, A.D. 1991
Registration No. L-2425
Land Surveyor
C. NEAL BARE R.L.S. 3516 WEST KING ST. P.O. BOX 3419 BOONE, N.C. 27607 262-4787
SEAL L-2425 LAND SURVEYOR CLAYTON R. BARE
NORTH CAROLINA WATAUGA COUNTY
I, Peggy Phillips a Notary Public for said county and state do hereby certify that Clayton Reed Bare a Registered Land Surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official seal this 14th day of MARCH, 19 91.
Notary Public
My commission expires SEPTEMBER 1st, 19 91.
NORTH CAROLINA ____ COUNTY
The foregoing certificate of ____ Notary Public is certified to be correct. This instrument was presented for registration and recorded in Plat Book ____ Page ____ this ____ day of ____, 19 ____ at ____ M.
By ____ Assistant Reg. of Deeds
Register of Deeds
HAROLD RIDDLE NOTARY PUBLIC ASHE COUNTY, N.C.
NOTE: TOTAL AREA BY BOUNDARY = 42.619 AC. OWNER = WATAUGA COUNTY DEVELOPER = WATAUGA COUNTY THE INTENT OF THE DEVELOPER IS TO USE THE FUTURE LOTS FOR INDUSTRIAL PURPOSES ONLY
PROPERTY ZONED M-1 NEW RIVER TOWNSHIP WATAUGA COUNTY, N.C.
CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS
I hereby certify that all streets, utilities and other required improvements have been properly installed in an acceptable manner and approved by the Town of Boone in accordance with the Subdivision Regulations of the Town of Boone, or that guarantees of the proper installation of the required improvements in the form of bonds, certified checks, or other instruments have been received and approved by the Town of Boone. Any improvements not yet completed are listed on the attached sheet and the amount of bonds or other guarantees to be posted for their completion has been determined. Such bonds or other guarantees have been approved by the Town of Boone as to amount and surety and conditions and are sufficient to assure the completion of all required improvements. The Final Plat will not be approved by the Town of Boone until the improvements listed on the attached sheet are completed and approved, or until adequate guarantees of their completion are posted in accordance with the procedures set forth in the Subdivision Regulations.
Date
Subdivision Administrator, Staff or Consultant
CERTIFICATE OF OWNERSHIP AND DEDICATION
I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Boone and that I hereby adopt this plan of subdivision with my free consent, establish minimum setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby dedicate all water, sewer lines to the Town of Boone.
Date
Owner
CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION
The Town of Boone Planning Commission hereby approves the final plat for Industrial Park Subdivision.
Date
Chairman
MUNICIPAL ENGINEERING SERVICES CO., P.A.
CONSULTING ENGINEERS SURVEYORS
BOONE, N.C.
PROJECT: FINAL SUBDIVISION PLAT
OWNER: WATAUGA COUNTY
TITLE: WATAUGA COUNTY INDUSTRIAL PARK
SCALE: 1" = 100'
DRAWN BY: MPT
CHKD. BY: CNB
DATE: MARCH 1991
PROJ. NO. 891-15
DRAWING NO. 1 of 1


Exhibit 7
15 existing
125'
65.5'
7
Disability parking spot
14
131'
7
Employee
2
39 parking spots