TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING AND PLANNING COMMISSION MEETING MINUTES
MONDAY, JULY 27, 2026, 6:00 PM
1500 BLOWING ROCK ROAD AND WEBEX

COUNCIL MEMBERS PRESENT: Mayor Dalton George, Mayor Pro Tem Todd Carter, Virginia Roseman, Anitra Ball, Anne Pruitt, and Adrian Tait

PLANNING COMMISSION MEMBERS PRESENT: Chair Frank Veno, Frida Paz-Miranda, Declan King, Myles Harrison, David Luther, and Garrett Kight

PLANNING STAFF PRESENT: Jane Shook-Director of Planning & Inspections, Brandon Wise-Deputy Director of Planning & Inspections, Amy Snider-Commercial Zoning Administrator, and David Pedersen-Board Clerk

OTHER TOWN STAFF OR REPRESENTATIVES PRESENT: Justin Stines-Public Works Deputy Director and Allison Meade-Town Attorney

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Call to Order

Mayor George called the Town Council to order at 6:05 p.m. Chair Veno called the Planning Commission to order at the same time. The meeting was held at the Town Council Chambers, located at 1500 Blowing Rock Road, Boone and via WebEx. Mayor George gave a brief opening statement to clarify the meeting order for the members of the public present.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Council Member Pruitt made a motion, seconded by Council Member Roseman, to approve the May 18, 2026, Public Hearing/Planning Commission meeting minutes.

VOTE: Aye – 5
Nay – 0

The motion passed.

Commission Member King made a motion to approve the May 18, 2026, Public Hearing/Planning Commission meeting minutes. The motion was seconded by Commission Member Kight.

VOTE: Aye – 6
Nay – 0

The motion passed.

PUBLIC HEARING

Case A26-0448 Invasive Species – UDO Text Amendment

A text amendment to UDO Article 31 and Appendix C was proposed to update the Town of Boone Unified Development Ordinance to reflect the Town goals in relation to native plantings and removal of invasive species.

Mr. Wise introduced the topic and provided a brief overview of the proposed text amendment, noting a specific change which would require that only native species are utilized in required buffers when located

in a water supply watershed or regulated floodplain. He also noted changes to Appendix C (recommended planting lists) and that some species had been removed as recommended plantings.

There was no discussion of this topic from Town Council or Planning Commission.

There was no public comment.

With nothing further, Mayor George closed the public hearing for this case at 6:10 p.m.

Case A26-0357 115 Beverly Heights Avenue – Conditional District Zoning Map Amendment

Mayor George opened this topic and provided a brief overview of meeting structure for the Members of the Public.

Amy Snider, Commercial Zoning Administrator for the Town of Boone Planning and Inspections Department introduced the development application.

LCD Acquisitions, LLC has submitted a Conditional District Zoning Map Amendment application to rezone property located on the corner of NC Hwy 105 Ext and Beverly Heights Ave (Watauga County PINs: 2910-36-7347-000, 2910-36-8089-000, 2910-46-0833-000, 2910-46-1791-000, 2910-46-2684-000, and 2910-46-3578-000) from B3 General Business/R3 Multiple-Family Residential/R1 Single Family Residential to Conditional District B3 General Business with a site-specific development plan for Use 1.16 Multi-Family Dwelling in Mixed-Use (>100 Bedrooms), specifically a 185 unit, 642 bedroom multi-family apartment development.

Chelsea Garrett of Deal Moseley di Santi Garrett & Martin Law Firm introduced herself as a representative of the Applicant, Landmark Properties. She made note of the two previous informal presentations to Town Council, in October of 2025 and January of 2026, and the three community meetings the applicant has held in an attempt to collect and implement feedback.

Mr. Powell introduced himself and Landmark Properties, providing a brief summary of the Company's qualifications, and reiterating Ms. Garrett's statement about the previous work on the development. He then introduced the other presenters: Paul Ash and Gregg Hoffman with Civil Design Concepts (CDC) , Chris Fortner with Niles Bolton & Associates and Jeff Moore with J.M. Teague Engineering and Planning.

Mr. Powell introduced the proposed development's location and zoning, noting that the majority of the area is designated "Neighborhood 2" in the Boone Next Comprehensive Plan and noted the proposed conservation easement area in the area currently zoned R1. He indicated that their proposed development was less dense than Neighborhood 2 descriptions and representative imagery found in Boone Next and spoke to the walkability elements of the proposal.

Mr. Powell noted some elements of the development that he believed aligned with Boone Next including: equity and affordable housing, with the ten proposed deed-restricted attainable housing units that would be made available to preferred employers in the community; sustainability and climate action, noting that all the buildings would meet the criteria for Energy Star Certification. He noted the development was resilient through mitigating development impacts such as stormwater and traffic.

Mr. Powell reviewed the revisions made to the proposal after receiving feedback from the previously mentioned Council and Neighborhood meetings. These revisions included reducing building massing and scale in the B3 portion, daylighting the existing piped stream, the inclusion of a conservation easement area, a reduction of density in the bed and unit count, and an increase in the percentage of one and two-bedroom units. He reiterated the attainable housing units, drawing comparison to the Boone Greenway development. He then detailed building massing, speaking about the reduction in size of the building blocks and noted the traffic control access gates and a pedestrian crossing on Beverly Heights Avenue.

Mr. Powell noted the daylighting of the stream would be incorporated as a feature. Lastly, he expanded on the proposed 6.4-acre conservation easement, also noting the landscaping berm alongside Beverly Heights that will act as a neighborhood protection buffer.

Mr. Powell spoke about the proposed site plan and their attempt to align it with current zoning, incorporating higher density on the west side of the property, including student housing, the parking deck, and market. The east side would be lower density, including a mix of community member and student housing.

Mr. Powell indicated that gate access was being proposed for the two eastern entrances into the development (Roads B & C) and discussed how gate locations on Beverly Heights were not practical for the Town nor NCDOT for maintenance and life safety reasons.

Mr. Powell then noted his concern about the "Road to Housing Act", a recent federal legislation which could have impacts on the ten one-bedroom units. He noted that some changes may need to be made to that area by having some of those units share a party wall, which would also result in their ability to reduce retaining wall requirements and enhance the ability to propose larger green space areas.

Chris Fortner introduced himself and opened by giving a brief overall site description. He mentioned that the taller four-story buildings lie on lower elevations, and transition to shorter buildings uphill that work with the grade to maintain a roof-line across the site and not have high elevations dominated by tall structures. He indicated that while the parking garage has a large footprint, it accounts for nearly half of the parking storage onsite and is a three-story building on the high side and one-story on the low side at grade, allowing for green space preservation.

Mr. Fortner noted the road grade was no more than ten percent in all areas and a max of five percent in areas with parking. He briefly mentioned the location of waste collection near the garage.

Mr. Fortner also noted the architecture change on the north end of the site to two and three-story cottage-style structures making up two neighborhoods, maintaining grade with Beverly Heights. He spoke about proposed improvements to Beverly Heights, noting an increase from 17 feet to 24 feet, 5-foot sidewalks with pedestrian lighting, and a 25-foot buffer zone which includes a 3-foot planted berm with fencing. He noted that Landmark had committed to use double the required tree width for this planting for a more natural buffer.

Mr. Fortner gave a brief overview of the aerial view of the site related to elevations, described some of the architectural features of some of the structures, and specifically mentioned the abrupt grade change due to the retaining walls, for the purpose of green space preservation.

Jeff Moore, Traffic Engineer, came to the podium to speak about the Traffic Impact Analysis (TIA). Their firm studied ten separate intersections for this analysis, performing traffic counts and trip generation. He provided estimates of 2,549 daily trips, with 29 entering and 79 exiting during AM peak hours and 104 entering and 95 exiting during the PM peak. He indicated that this negatively impacted the intersection of Beverly Heights Avenue and NC Highway 105, and recommended that intersection to become right-out only, with traffic being able to turn left or right in, also noting that this would still need approval from NCDOT.

Ms. Garrett asked Mr. Moore if traffic was explored for other types of use on the property. He replied that an alternate TIA was performed, and while he didn't have it with him, this student housing use was one of the least impactful for this site.

Mr. Powell took the podium and noted a proposed sidewalk along the length of Horn Avenue that would connect to existing sidewalk.

Mr. Powell summarized the presentation points and indicated that compared to other recently approved projects in the Town of Boone, the development is the least dense, specifically noting that the proposal was 50% of the density of the Greenway Road development by units per acre and beds per acre. Mr. Powell invited Greg Hoffman and Paul Ash from CDC to the Podium to discuss the Civil Designs.

Mr. Hoffman introduced himself and Mr. Ash and indicated that they would try and address some of the larger questions from the staff report and would be available for questions later. He began by speaking about stormwater, noting that the site drains to the stream, and that they are proposing four collection areas utilizing underground detention which will meet water quantity, Town of Boone, and the required 20-ton load rating access standards (H-20). He reiterated street slopes being ten percent or less, and areas with parking being five percent or less, adding that bicycle and motorcycle parking will be included, even though it was not shown on the current plan. He indicated that Beverly Heights improvements would include widening to 12-foot lanes with a sidewalk. Mr. Ash added that Beverly Heights has a maximum slope of around 17%.

Mayor George opened discussion by Town Council and the Planning Commission.

Council Member Roseman thanked the applicant for being present and asked whether all ten of the proposed attainable housing units would be one-bedroom units. Mr. Powell answered that they were, and that decision was based on previous feedback.

Council Member Roseman inquired whether some of the other 2- or 3-bedroom units were considered as attainable units, noting that those in buildings 15 or 23 would be better candidates for local employees with families. She added an inquiry to Town Staff as to whether the side streets that feed to Beverly heights met width to hold a significant increase in traffic.

Justin Stines, Deputy Director for Town of Boone Public Works, responded that he was unsure of the specific widths of the roads, but confirmed that they were already quite narrow for two-way traffic, and are not well suited to take larger volumes of traffic.

Mr. Powell responded that they were open to a different mix of attainable housing units.

Council Member Roseman inquired if every unit had a bathroom per bedroom. Mr. Powell replied that this wasn't necessarily the case, providing an example that some of the four-bedroom units may have four and a half bathrooms, but that bed-bath parity is generally the market preference. Council Member Roseman asked him to clarify if all units would be eligible to rent by-the-bedroom. Mr. Powell affirmed. Ms. Garett clarified with Mr. Powell that the applicant would be open to providing a different mix of attainable units, which he agreed to consider.

Mayor Pro Tem Carter noted that he was on the record at the last meeting as saying that he would not vote for a development project that was solely rent by-the-bedroom. He indicated that the comparisons drawn between the Greenway Project and this proposal were not equal, noting the other project's commitment to market-rate family housing alongside affordable housing, and unit rental options as opposed to by-the-bedroom model. He inquired about the last time the applicant had spoken to AppalCart about the project. Mr. Powell replied that they had an official meeting a year ago, with more recent informal conversations. Mayor Pro Tem Carter indicated that he had spoken with the Director of AppalCart prior to this meeting, who had no record of meeting with the applicant or discussing the project since March of 2025. He indicated that AppalCart's director isn't aware of any bus stops internal to the project, and was under the impression that the existing Beverly Heights stop would be utilized. Mr. Powell responded that he had email correspondence with AppalCart regarding internal stops and would provide that documentation.

Mayor George requested that Town Staff provide a summary of the current zoning of the property and discuss "by-right" development within that zoning. Brandon Wise, Deputy Director for the Planning and Inspections Department, described the zoning of the property and provided examples of by-right projects for B3 zoning, such as retail and restaurants, and R3 zoning, such as townhomes with less than 100 bedrooms, noting that any proposed multi-family development outside of those parameters would require a Conditional District Zoning Map Amendment. Mr. Wise defined by-right as entailing any project application that could be permitted directly through the Planning & Inspections Department for compliance with the UDO, without having to come before any Town boards for a vote. Ms. Garett requested clarification on allowable square footage for retail in B3. Mr. Wise answered 25,000 square feet, but that other factors such as livability and green space are considered in those discussions.

Mayor George inquired about any conversations with NCDOT, specifically regarding the routing of pedestrians on to Horn Avenue via crosswalk, citing concerns about dangerous walking conditions. Mr. Moore replied NCDOT was not in favor of a crossing at Horn Avenue, and that the signalized crossing within 400 feet should be utilized. Mr. Powell indicated that the plans showed the sidewalk extended south down to State Farm Rd to utilize the crossing there.

Mayor George asked for the total acreage of the proposed conservation easement. Mr. Powell replied that it was 6.4 acres.

Mayor George inquired about the previous neighborhood meetings, asking about the level of support encountered. Mr. Powell indicated that he generally wouldn't gauge the level of support for a project based solely on meeting attendance and noted that at each meeting there were around 35-50 people in attendance. Mr. Powell noted that the people that were in favor of the project would most likely not be present at a meeting like this, more likely they were at home.

Commission Member Luther expressed logistical concerns about traffic to get to grocery stores, noting that a small grab and go market onsite would not alleviate traffic needing to get to Blowing Rock Road to access grocery stores, which implies they'd have to take two left turns after turning right on to the Highway 105 Extension. Mr. Powell noted that the intersection plan was in coordination with DOT, the intersection is already failing, and the TIA can't take bus trips into account which lowers practical traffic. Ms. Garrett indicated that Mr. Moore had a traffic study on hand for a by-right project and invited him to speak on it. Mr. Moore first affirmed that the distributed traffic did primarily route to King Street. He indicated the by-right analysis assumed a mix of 25,000 square feet of retail and allowable housing (100 units), which showed an estimated lower number of daily trips at 1,691, but a much higher number of AM and PM peak hour trips than the current development proposal. Planning Commission Chair Veno inquired if access to Blowing Rock Road in the analysis was via King Street or a U-turn at that intersection. He felt that traffic would realistically instead cut through one of the neighborhood streets to access State Farm Rd and Blowing Rock Road. Mr. Moore indicated that 20% of traffic had been assigned to those routes in the analysis.

Commission Member King inquired to confirm whether there would be any options for a single lease for any multi-bedroom unit. Mr. Powell responded that no multi-bed units were committed to full unit leases at this time, but they were open to exploring those options.

Commission Member Paz-Miranda asked about the number of reductions in units and bedrooms from the previous January submittal. Mr. Powell responded that there were 59 fewer beds and 14 fewer units. She then inquired where the AppalCart stop locations would be located. Mr. Powell replied that they were not finalized and could be flexible with those locations. Commission Member Paz-Miranda inquired why there was only documentation for one neighborhood meeting in the packet. Mr. Powell

clarified that one meeting is required to be held within 60 days of formal application submission, and that was the one included in the packet.

Mayor George invited public comment.

Catherine (Kelly) Cole of 139 Olancha Avenue opened by expressing concerns about adding a large amount of vehicles to existing traffic that already cuts through the neighborhood roads, including State Farm and Olancha, to Beverly Heights Avenue. She also expressed concern about the proposed gates, questioning how realistic emergency access would be. She voiced opposition to the proposal and noted the other members of the public present inside and outside who are opposed to the project.

Christine Cornett introduced herself as the previous speaker's daughter, noting that she has called 139 Olancha Avenue home for 22 years. She reiterated that she didn't believe the proposed gates would facilitate emergency services properly. She indicated that the neighborhood has already changed significantly in her life, and felt that the proposed addition of student housing would take away the neighborhood character of the area, specifically citing potential increased traffic dangers. She indicated that she understands the need for student housing, but feels that it would be at the cost of the neighborhood for this specific project.

Ben Miller of 190 Beverly Heights Avenue introduced himself and spoke of the area as a well-established neighborhood. He noted that around ten years ago, the Town of Boone designated the neighborhood a NCD (Neighborhood Conservation District), and he hopes the Planning Commission would take that into account in their decision. He indicated that in 2005, Beverly Heights property owners purchased the strip of land alongside the road originally maintained as a buffer by the original developer for neighborhood protection. He asked the Planning Commission to keep the R1 areas zoned R1, noting that Berkley Avenue, Sheridan Boulevard, and Olancha Avenue are all very narrow roads that are already not wide enough for two cars in many places.

Jeff Younce, who was born and raised at 144 Berkley Avenue and whose mother still lives there, questioned whether this development would require the widening of the neighborhood roads, specifically Berkley Avenue and where the funding would be obtained for the right-of-way acquisitions, He expressed concerns about unsafe neighborhood roads in the area.

Paula Ward of 144 Berkley Heights Avenue indicated that she grew up in the Beverly Heights neighborhood. She indicated that she had three primary concerns. Her first was concern about the water and sewer infrastructure, and whether a development of this size would place strain on existing infrastructure. Secondly, she noted traffic concerns, including usage of the small neighborhood roads that were not designed to handle a large volume of traffic, in addition to being unsure of AppalCart accommodations. Lastly, she spoke about the residents of the neighborhood, naming 6 families and her mother who has lived there for 55 years. She noted that five residents including her mother are in their eighties, and a development of this size would dramatically change the character of the neighborhood they've spent their lives building, so she respectfully requested that the application be rejected.

Becky Younce, also of 144 Berkley Avenue, noted her feelings were the same as others have already expressed.

Gene Howell of 521 State Farm Road introduced himself as a retired professional engineer who has lived in the neighborhood for 58 years. He noted that in that time, they've seen a steady increase in traffic, noting that with recent developments such as Leon Levine Hall and The Finmore in the last 5 years, there has been a dramatic traffic increase, to the point where it's sometimes hard for them to leave their driveway.

Chris Thaxton of 353 Appalachian Drive noted that he sent copies of a written statement on behalf of University Village, of which he serves as President. He indicated that he is an engineer and physicist and has concerns about the TIA which the applicant submitted. He began by acknowledging that Planning Commission and Town Council have a difficult job in a rapidly growing town, and that's why the Boone Next Comprehensive Plan is in place as a guidance document. He highlighted a statement from the plan that he said was important "we should plan with thoughtfully designed development that fits its surroundings". He indicated that specifically resonated with him and he doesn't believe the proposal accomplishes that. He considers the plan high-density housing in the middle of a low-density, well-established neighborhood. He indicated that the issue was the density at a critical point of traffic in Town, noting that the TIA already lists the intersection as failing, and to put more pressure on it is asking too much. He indicated that he believes the TIA does not consider a realistic growth pattern for the town and uses estimates that are too conservative. He closed by encouraging the Commission and Council to make decisions based on the plan put in place by the community.

Geoff Graham of 151 Cave Canem Drive introduced himself and noted that while their property is not technically part of University Village nor Beverly Heights, he was present in support of both neighborhoods in requesting that the application be denied. He noted that he's concerned about how the density calculation of the project might be related to the proposed 6-acre conservation easement. He then noted that he appreciated Mr. Miller's previous comments regarding the easement purchased by the property owners alongside Beverly Heights, and spoke on the requested deviations. He expressed concern about changing the designation of the University Village lots from R1, impact of the viewshed, and the corridor district designation.

Mark Kadyk of 643 State Farm Road introduced himself as having lived on that road since 1977. He indicated that he was a partner in the driving range for 15 years, and one of his primary concerns was the amount of water on the site, hoping that engineering would adequately address that. He then spoke about existing traffic concerns, especially during rush hour when it's already difficult to get out of their driveway. He believes the proposed increase in traffic volume would worsen that issue, so he is not in favor of the project.

Kristen Ryberg of 245 Circle Oak Dr opened by stating that she had been in Boone since 1987 and now owns a home and business here. She requested that the application be denied, adding that the Town should take its time in its approach to student housing. She indicated that she appreciated Landmark Properties' time and energy put into this project, and from her own research, they are one of the premier apartment developers in the US and are expanding to the UK. She noted that Landmark currently has two other properties in the Town currently. One of these is currently under development and called The Retreat, located on a 40-acre site at 250 Wild Cherry Circle featuring 625 beds, 588 parking spaces, and 12,500 square feet of luxury amenities, some of which she listed. She indicated that while this may be meeting a demand for housing, she asked if the Town was willing to sell their soul for corporate wealth building. She asked if the Town would reject this proposal and indicated that while it may be a good fit for a larger city, she doesn't believe it is the right fit for the Town of Boone.

Kathryn Thomas of 127 Sheridan Avenue indicated she has lived there for almost 20 years now and is grateful for the opportunity to speak, noting that she had also recently written a letter to the Mayor and Town Council regarding a suggested 12-month moratorium on high-density construction. She indicated that this type of development introduced too many unknowns, such as traffic and water-resource strains, exacerbated by the current drought restrictions that the Town is already experiencing. She indicated that zoning was put in place to protect the residents of the Town, and urged Town Council to protect the residents by turning down the application.

Hannah Brady of 129 Suncrest Way introduced herself and began speaking on the amount of deviations requested by the applicant. She noted this project puts profit over adding true value to the community. She indicated that local property owners have to fight to be able to do small things on their own property, so it feels like a double-standard to residents if developers are granted deviations. She also noted that the applicant held neighborhood meetings for citizen input/feedback, and indicated that they explicitly promised to circle back with residents to answer certain questions, and those residents never received replies. Ms. Brady also spoke about the traffic impacts, reiterating that the intersection is already designated as failing and she believes neighborhood cut-through traffic would increase. She indicated that as someone who works in marketing, she felt the name "The Walk at Boone" was manipulative for a development that proposed 600 parking spaces. Lastly, she indicated that fine print stipulations could remove some of the workforce housing units in as little as 90 days, with them having the option for total removal in 10 years. She closed by imploring Town Council to hold developers to the same standards as everyone else and deny the requested deviations.

Kyndall Boyle of 144 Daniel Boone Drive Extension introduced herself as having lived on the east side of Boone for 14 years. She said she was a spokesperson for neighbors on her street who could not be present and that they are opposed to the application. She indicated that over 14 years her commute has steadily increased over the years from 5 to 20 minutes, noting that traffic congestion is already an issue. She also spoke about similar issues with the viewshed over time, seeing trees and green space replaced with large apartment complexes. She reiterated a previous point of continued utility strain, specifically related to the current water restriction conditions for the town.

Jasmine Shoshanna introduced herself as owning a home in East Boone and spoke about Boone Next. She felt that residents weren't originally given enough of a voice in the plan's adoption process. She spoke against high density housing and its ramifications on the environment, also noting that she believes university enrollment numbers are an issue.

Bonnie Srolovitz-B. of 584 Oak Street expressed concerns about existing traffic on Horn Avenue and the local area, and that impacts from the proposal would affect more than just Beverly Heights, it would affect the whole local area.

Judy Miller expressed the sentiment of Boone's small-town feel for the last 61 years that she's lived in the area.

Dave Shows introduced himself and spoke to Boone Next as a foundational document, and urged for exceptions not to be made.

Mayor George invited online Public Comment via WebEx.

James Milner of 224 Morningside Drive indicated that he believes some neighborhoods and projects are favored over others relating to development, and that he feels the current ordinances need to be revised.

Carolyn Ward of Chestnut Drive indicated that she was speaking as someone who had seen recent development in her neighborhood and urged Town Council and Planning Commission to protect neighborhoods going forward.

Mayor George closed the Public Comment portion and called a break in the hearing from 8:33 p.m. until 8:38 p.m.

Council Member Roseman requested clarification from the applicant on the gate logistics on roads B & C relating to neighborhood traffic and confirmation on how many waste receptacles would be onsite, noting that she only saw two. Mr. Powell stated that roads B & C would be controlled access via a "Knox Box", which provides access for buses and emergency vehicles only. He also confirmed the two locations of

trash receptacles, noting that a valet trash service would be provided to residents, being picked up from their units and taken to the two collection locations. He noted that Landmark has an internal design team that performs a study to determine waste disposal for each development. Council Member Roseman confirmed with Mr. Powell that ingress and egress for residents of the development would be from the main entrance and not into the secondary access points along Beverly Heights Avenue.

Council Member Tait thanked the applicant for their time and inquired why luxury housing was being proposed instead of something more modest. Mr. Powell responded that the term "luxury" is a branding term and apartments are designed to the standards of market preference in the area, and added that as owner/operator, they can provide higher standards of quality. Council Member Tait asked Mr. Powell whether they prefer their developments be closer to campus like this proposal, or further away like the previously discussed Retreat at Boone. Mr. Powell responded that they prefer closer developments, citing walkability and community involvement providing a higher quality of life for residents. He added that developments closer to the center of town reduce potential issues that you might see farther out. Council Member Tait noted the traffic implications of this, indicating that he believes a closer development sees traffic more contained, which is a benefit compared to large traffic dispersion throughout the Town from a development further away.

Council Member Tait complimented the applicant on their re-design of housing units, indicating that they are proposing units which are more in line with what was requested previously to fill some of the local housing need.

Council Member Ball asked Mr. Powell if he would support the proposal in his own neighborhood. He answered that he would, noting that he lives in a college town and believes that these types of student housing developments open up single-family homes to people who need them.

Mayor Pro Tem Carter reiterated that he agrees with Council Member Tait about the housing need, but that he can't support a project that proposes primarily student housing with rent by the bedroom leases and a 65% deviation relating to the number of 4-bedroom units. He also expressed concern about their seriousness of utilizing AppalCart, since he'd heard multiple references to a shuttle. Mr. Powell assured him that they were in conversation with AppalCart and is hopeful for the prospect, although specifics are not yet in place. He also indicated that their proposal had less 4-bedroom units than the Greenway Project by percentage of overall unit counts. Mayor Pro Tem Carter responded that the two projects are not comparable in that way, and feels this proposal is incomplete based on his previous points.

Allison Meade, Town Attorney for the Town of Boone, made a comment that the applicant would need to provide documentation of the conservation easement if the project were to proceed, noting that the applicant cannot hold the easement themselves. Ms. Garrett replied that she and the applicant understood this, and it can be a written condition if necessary. Ms. Garrett proceeded to discuss the application process, noting appreciation for the informal pre-application discussions, but she hoped to hear some more concrete ideas of what Town Council would need to see changed to vote for the project, indicating that if Boone Next was followed, the site would be developed multi-family eventually. Ms. Meade noted that Boone Next would be cited by anyone wanting to support their point of view, but emphasized that it is a vision document that the Town put great effort into creating.

Mayor Pro Tem Carter appreciated that the new proposal was much better than the previous version, but reiterated that he originally stated he wouldn't support a fully rent by-the-bedroom model, and the applicant should have come forward with other concrete options relating to that. Council Member Roseman echoed this sentiment, adding that she doesn't believe there's a good enough solution to neighborhood street traffic to justify the proposal. Ms. Garrett inquired whether any direct access was possible through the properties rather than Beverly Heights, noting that any development that happens

here would add traffic to the local system. Mr. Powell commented that they had explored the possibility of connecting to the property through adjacent properties rather than via Beverly Heights, but the viable properties are too close to the existing road to place access.

Commission Member Luther discussed balancing the need for housing with existing traffic concerns, noting that he is a volunteer firefighter and has been unable to leave his house to respond to calls during peak hours due to traffic on State Farm Road. He indicated that he is not opposed to development at the site, but doesn't feel like this is the right proposal, and that the applicant should provide a more concrete proposal based on the feedback they've received.

Mayor George clarified for the Public that a local private owner, not the Town of Boone, owns the property, and the Town cannot legally down-zone properties. He also rejected comparison to other projects, noting that the other project revised designs to incorporate public good, which he didn't feel this proposal did.

Council Member Tait suggested a condition of all units east of the creek being rent by-the-unit. Mr. Powell stated that under fair housing laws, if four students wanted to lease a 4-bedroom unit, they're not legally allowed to deny that. Ms. Meade indicated that statement may be too broad, as students are not a protected class. She also noted to Town Council and Planning Commission that while some projects may be approved with conditions, not every application is the right fit for a particular property, and they may say no. Mr. Powell reiterated that their theoretical TIA for a by-right project showed almost the same level of traffic. Ms. Meade indicated that she was skeptical they could have designed a realistic proposal for the maximum allowable by-right project to demonstrate that.

Town Council Members discussed by-the-unit vs. by-the-bedroom rentals pricing and logistics. Commission member Paz-Miranda inquired of the applicant what rental prices would be. The applicant replied that they are market-rate variable by the unit, providing an estimate of around $950 per bedroom per month in the 4-bedroom units. She inquired to clarify why all attainable units were 1-bedroom and about their rental rate, to which the applicant answered that they found it was market preference and they would be around $1500 per month. She also relayed a question from public comment, about whether utility capacity, road widening, and right-of-way acquisitions would be a potential issue. Mr. Wise stated that the Public Works Department reviewed the application and had no comments about potential capacity issues.

Commission Chair Veno inquired how students from The Retreat at Boone would access campus from Deep Gap. Mr. Powell replied that there was a private shuttle from the development to campus, but they have the option to drive. He then reiterated that the current proposal would allow for more walking and biking than a project like The Retreat, specifically mentioning the mapped pedestrian route in the application and the amount of $300,000 allocated towards that goal.

Adjournment of Town Council

Mayor George adjourned the Town Council portion of the meeting at 9:34 p.m. and called for a 5-minute break.

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Dalton George, Mayor David Pedersen, Board Clerk

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Frank Veno, Planning Commission Chair

PLANNING COMMISSION MEETING

Commission Chair Veno called the Planning Commission portion of the Meeting to order at 9:42 p.m.

Discussion and Recommendation on Case(s) Heard at the Public Hearing

Case A26-0357 115 Beverly Heights Avenue – Conditional District Zoning Map Amendment

LCD Acquisitions, LLC has submitted a Conditional District Zoning Map Amendment application to rezone property located on the corner of NC Hwy 105 Ext and Beverly Heights Ave (Watauga County PINs: 2910-36-7347-000, 2910-36-8089-000, 2910-46-0833-000, 2910-46-1791-000, 2910-46-2684-000, and 2910-46-3578-000) from B3 General Business/R3 Multiple-Family Residential/R1 Single Family Residential with Corridor District and Viewshed Protection District Overlays to Conditional District B3 General Business with Corridor District and Viewshed Protection District Overlays for Use 1.16 Multi-Family Dwelling in Mixed-Use (>100 Bedrooms) with a site-specific development plan for a 185 unit, 642 bedroom, residential community.

Commission Member King reiterated that the applicant should provide definitive answers on AppalCart logistics, noting that it's a valuable resource for the Town should be utilized. Commission Member Kight stated that he lives in a neighborhood that was also previously designated as an NCD, and empathizes with traffic concerns. He indicated that he believes a by-right project would create a level of traffic that was more manageable for the area than the current proposal. Commission Member Luther stated that he understands the need for housing supply in the town, especially affordable housing, but also sees the need for student housing and the economic development the University provides, and is not opposed to the right development at the proposed location. However, he echoed the mayor's previous sentiment of this proposal's lack of public good. He encouraged the applicant to work on a solution that would address the comments posed. Commission Member Paz-Miranda agreed with these statements and reiterated some of her previous remarks regarding traffic, density, and rental models. Commission Chair Veno expressed that he felt this proposal created a traffic issue that was too large to circumvent. He added that he would prefer to see a less-dense development created for professionals and families in this location, noting that he doesn't feel there is a lack of student-specific housing in Boone. Commission Chair Veno introduced Commission Member Myles Harrison, who was newly appointed as the Student Representative on the Planning Commission. Commission Member Harrison introduced himself and noted that he agreed with Chair Veno about student housing, providing a personal anecdote about his ease of obtaining housing as a student.

Commission Member Paz-Miranda inquired if the applicant understood that the University's enrollment was declining and if they were planning for that. Mr. Powell replied and said they were, and that they diligently track long and short-term trends of universities near all of their properties.

Commission Member King noted that he believed that this project could be beneficial as student housing, but in a different form that more adequately addresses the concerns brought forth in the hearing. The Commission discussed the desire to see an updated proposal and discussed what housing types would be ideal.

Planning Commission briefly discussed meeting recommendation logistics with Town Staff.

Vote 1

Commission Chair Veno made a motion that the proposed amendment to the Town's zoning map is not consistent with the Town's current comprehensive plan and any other adopted plan(s) of the Town that are applicable because of the following from Boone Next:

Goals & Policies

Goal 1.1: A sustainable built pattern: Boone's interwoven natural and built environments will promote social, environmental, and fiscal sustainability while aiming to reduce auto- dependence and the roots of traffic congestion. The town will be a leader of green building design and climate responsibility.

Goal 1.2: Development true to Boone's vision: Boone's development and redevelopment will enhance the best of the town's existing built environment and reinforce the vision set forth in this plan.

Policy 1.2.1: Build the Town for People: To the extent possible, the built environment should be human-scale and pedestrian oriented rather than large-scale and auto-oriented. There are urban design characteristics that transcend eras, styles, and typologies that help to explain why Boone's beloved downtown makes human beings comfortable. Human-scale development is not defined by density, but instead by urban design that makes human beings comfortable and happy navigating streets, activity centers, and neighborhoods on foot. Human-scale built environments might consider terminating vistas at the end of streets or the width and frontage of new buildings.

Goal 1.3: A preserved heritage: Boone's unique architectural and cultural history is celebrated. The town preserves historic buildings and encourages the design of new buildings and places that complement its architectural heritage.

Goal 2.4: Increase mobility through capacity & access management: Ensure Boone's street network supports safe, reliable transportation for all modes by addressing growth-related challenges with strategic roadway improvements beyond traditional widening.

The motion was seconded by Commission Member King.

Vote: Aye – 6

Nay – 0

The motion passed.

Vote 2

Commission Chair Veno made a motion, seconded by Commission Member King, that the Planning Commission recommends denial of Ordinance #A26-0357 within Staff Report Exhibit A, and denial is reasonable and in the public interest because there is a lack of commitment on the part of the developer and the application is not in keeping with the spirit of neighborhood conservation. There are too many unresolved issues and there is a lack of both community support and commitment to mixed-use housing.

Vote: Aye – 6

Nay – 0

The motion passed.

Case A26-0448 Invasive Species – UDO Text Amendment

A text amendment to UDO Articles 31 and Appendix C is proposed to update the Town of Boone Unified Development Ordinance to reflect the Town goals in relation to native plantings and removal of invasive species.

The Commission briefly discussed the invasive species UDO text amendment, communicating approval. Commission Chair Veno inquired with Town Staff as to whether identified invasive species on a property would be required to be removed by the owner. Mr. Wise clarified that the Town could not enforce removal of an existing invasive species on a private property, but this amendment would make it easier for the owner to do so and replant with a native species, waiving the permit application requirement.

Vote 1

Commission Member King made a motion that the proposed amendment to the Town's Unified Development Ordinance is consistent with the Town's current comprehensive plan and any other adopted plan(s) of the Town that are applicable because of the following from Boone Next:

Policy 5.3.1: Protect Ecologically-Valuable Areas: Protect floodplains, steep hillsides, wetlands, and other ecologically valuable areas and corridors from development.

Policy 5.3.3: Plan for Wildlife: Plan for and manage the coexistence of nature and wildlife habitat through development standards that integrate habitat and wildlife migration throughout the town.

Policy 1.4.1: Protect Ecologically Valuable Areas and Corridors: Through regulations and development decisions, protect, restore, and connect ecologically valuable areas such as critical watersheds, stream buffers, wetlands, wildlife habitat, and hardwood forests. Prioritize conservation of lands adjacent and connected to existing protected areas.

Commission Chair Veno seconded the motion.

VOTE: Aye – 6

Nay – 0

The motion passed.

Vote 2

Commission Member King made a motion, seconded by Commission Member Kight, that the Planning Commission recommends approval of Ordinance A26-0448 within Exhibit A with, and approval is reasonable and in the public interest because this amendment protects the native habitats that are integral to Boone's ecosystem and people.

VOTE: Aye – 6

Nay – 0

The motion passed.

Other Matters

Chair/Vice-Chair Application

Mr. Wise briefly explained that the Chair and Vice-Chair application was included in the packet for the Commission's review.

Adjournment of Planning Commission

Commission Member King made a motion to adjourn the meeting at 10:16 p.m. Commission Member Paz-Miranda seconded the motion.

VOTE: Aye – 6

Nay – 0

The motion passed.

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Frank Veno, Planning Commission Chair David Pedersen, Board Clerk