TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
NOVEMBER 18, 2025, 3:00 PM
Planning & Inspections Department & WebEx Video Conferencing

Historic Preservation Commission Members Present: Vardell Smyth-Chair, Bettie Bond-Vice-Chair, Krystal Carter, Bennie Gaetano, and Melody Oxendine

Planning Staff Present: Amy Snider-Commercial Zoning Administrator, Brandon Wise-Deputy Director of Planning & Inspections, Jessica Mitchell-Advanced Planning Specialist (via WebEx), Jane Shook-Director of Planning & Inspections (via WebEx), and Brenda Henson-Board Clerk

Other Town Staff/Representatives Present: Allison Meade-Town Attorney (via WebEx), and Lane Moody-Downtown Development Coordinator (via WebEx)

Call to Order

Chair Smyth called the Boone Historic Preservation Commission meeting to order at 3:00 p.m. The meeting was held in the Planning & Inspections Conference Room at 680 West King Street and via WebEx.

Adoption of Agenda

Commission Member Carter made a motion to approve the agenda as presented. Commission Member Gaetano seconded the motion.

Vote: Aye – 5
Nay – 0

The motion passed.

Chair Smyth provided a brief overview of the Historic Preservation Commission, its makeup, and function, and guidelines for Certificate of Appropriateness cases.

Case A25-0683 FizzEd – Certificate of Appropriateness

260 Howard Street Property, LLC, submitted an application for a Certificate of Appropriateness for Major Work for 260 Howard Street, located in the Downtown Boone Local Historic District. The request is for a mural along the south elevation of the building. The scope of work details having artist Josh Johnston paint a previously painted wall with acrylic paint, consisting of Montana spray paint, Golden Mural, and theme paint.

Brandon Wise, Deputy Director of Planning & Inspections, and Amy Snider, Commercial Zoning Administrator, were sworn in by Chair Smyth.

Commission members indicated they had no fixed opinions, no conflicts of interest, and had not participated in ex parte communication regarding this case.

Amy Forrester, owner of FizzEd, and Josh Johnston, mural artist, were sworn in by Chair Smyth.

Chair Smyth asked the applicant if she had any objections to the contents of the meeting packet. Ms. Forrester replied that she had no objections.

Ms. Snider explained the request as it was outlined in the meeting packet.

Ms. Allison Meade, Town Attorney, stated that staff needed to address the specific concerns about the application, noting that the staff report was unclear about the issues. Ms. Snider replied that the main concerns were the mural's size and that it wrapped around the windows. These items were referenced in Appendix D, which was included in the meeting packet.

Chair Smyth directed Commission members to Design Standard 11.3 regarding public art in the Downtown Boone Local Historic District, beginning on page 14 of the meeting packet.

Ms. Meade stated that the standards specifically said that murals were not supposed to wrap around windows and doors. She noted it had been brought to Town Council's attention that there might be some situations where this rule should not apply. However, at this time, the standards did not allow any deviations or exceptions. Ms. Meade stated she and Staff had suggested to the Council that it consider making exceptions to this rule for buildings that did not have historic contributing features. The current rule would even apply to new construction. Ms. Meade wanted to make this information clear because she felt the staff report did not. Other elements for the Commission to consider were the same as those presented by any mural or public art: whether it subtracted from the structure itself and its historic importance, or from the district's overall landscape.

Mr. Wise stated that staff had spoken with Ms. Forrester about reducing the mural's size so it would not surround the windows.

Ms. Forrester noted that the UDO stated murals were allowed only on wall surfaces. No mural or part of the mural was allowed on any part of any roof, fence, window, door, window trim, door trim, or other architectural feature. She added that the back wall of their building was cinderblock and had no window trim. Ms. Forrester stated that the trim would not be painted. She felt that changing the scope of the mural would devalue it enough that she might not be interested in doing it. She explained that the mural was intended to highlight the food culture on Howard Street, noting that Howard Street was comprised of about 80% retail and restaurant uses. Ms. Forrester stated that the new welcome center at the trailhead on Rivers Street provided an excellent opportunity to showcase what Howard Street had to offer. She offered that the mural provided a cultural component, rather than an advertising component. Ms. Forrester felt the mural would look much nicer than the current burgundy spray-painted cinderblock wall. She added that the UDO did not include the word "around" when referring to murals and windows.

Chair Smyth stated that the Historic Preservation Commission followed the guidelines in the Downtown Boone Local Historic District Design Standards, which were in addition to UDO requirements. He noted that the HPC did not regulate content or colors on murals.

Ms. Meade asked if it was correct that staff did not have any problem with the mural content qualifying as a mural rather than a sign because of the lack of sufficient commercial elements. Ms. Snider stated that was correct. Ms. Meade added that if the mural met the other requirements of the standards, she felt that the HPC had the authority to consider the content.

Ms. Meade stated that in historic preservation, there was great concern about not detracting from the view and the integrity of a structure's historic architectural elements, and that windows and doors are considered crucial architectural elements. She noted that it was standard practice across all historic districts that murals or other public art could not be placed around windows and doors, only in bare expanses of previously painted walls.

Vice-Chair Bond stated that this building had never been a particularly outstanding historic structure, noting that it was a junk pile when it was Miller's Army Navy store. She liked the idea of linking Howard Street with the new Rivers Street Park Trail. Vice-Chair Bond stated that the mural looked like 1950s

postcards, which she thought was perfect. She suggested that the artist ensure the mountainscape at the top of the mural looked like Howard's Knob.

There was no public comment for this case.

Chair Smyth noted that the proposed mural would be located around windows, unlike other murals in town, which were on large, blank expanses. Vice-Chair Bond stated that anything that would improve the look of that building would be a work of art. Chair Smyth pointed out that windows and doorways were considered significant architectural features.

Commission Member Gaetano asked if the windows were original to the building. Ms. Forrester replied that the windows had been replaced recently. Chair Smyth added that the window opening in the building was original. Commission Member Gaetano asked if the word "around" meant entirely around, partially around, or just near a window. Chair Smyth noted that there was no definition for "around."

Ms. Forrester stated that there was no great way to modify the mural to keep it away from the windows. Mr. Johnston added that shifting or decreasing the size would alter the character of the mural.

Ms. Meade stated that there may be standards the Commission did not want to apply. However, ignoring standards could set a precedent. She explained that it made no difference whether the features were original or the entire building was original. The building could have been built yesterday, yet, under the standards, murals should not be placed around windows and doors. Ms. Meade counselled Commission members that it was not appropriate for them to deviate from clear standards, but rather to allow Town Council in its legislative role to consider making changes.

Chair Smyth agreed that 11.3 was clear and did not allow them to deviate from the standards. He felt there needed to be more guidance on what "around" meant. Ms. Meade suggested that clearer guidance might be located from the National Park Service (NPS).

Chair Smyth stated that, as a citizen, he would love to see this sort of thing done. However, as a Commission member, the UDO and the historic standards were clear that it was not allowed. Chair Smyth added that he shared Ms. Meade's concern about setting a precedent.

Commission Member Gaetano asked what would happen if the HPC voted to deny the COA. Mr. Wise replied that the applicant could file an appeal of HPC's decision to the Board of Adjustment. He noted that the applicant also had the option to table the case until the standards were modified.

Mr. Johnston stated that the mural painting was not scheduled to begin until next summer, when the weather would be better. Chair Smyth noted that this might allow the Council time to modify the standards so that the mural could possibly be approved. Mr. Wise cautioned that the possible modification might not make the mural 100% allowable.

Ms. Forrester respected the need not to set a precedent. She stated she would appreciate the opportunity to table the case rather than being denied and having to start all over again. Ms. Meade advised that the Chair could table a request unless another Commission member objected. With no objections, Chair Smyth tabled the case until Town Council discussed and possibly made modifications to the standards related to public art and murals in the historic district.

Ms. Meade asked that staff contact Ms. Forrester when the issue went to Council for discussion so that she could participate.

Ms. Forrester, Mr. Johnston, and Ms. Meade left the meeting at 3:40 pm.

Other Matters

Jessica Mitchell, Advanced Planning Specialist, stated that there would be continued discussion on the Boone/Kraut Creek historic marker at the next advisory meeting, as well as an update on the Stoneman's Raid interpretative panel. Ms. Mitchell noted that Town Council considered the proposed text at their meeting last week, and Civil War Trails (CWT) was working on the design proof, which would be included in the advisory meeting packet.

The next advisory meeting of the HPC was scheduled for December 2, 2025, and the next quasi-judicial hearing would be on December 9, 2025.

Vice-Chair Bond announced that on Monday, November 24, 2025, at 3:30 pm at the FARM Café, the Watauga County Historical Society would be posthumously inducting Joe Miller into the Historical Society's Hall of Fame. The old train and cityscape that used to be at Boone Drug had been found and restored and would be running along the wall.

Vice-Chair Bond also announced a celebration of Jane Austen's 250th birthday at the Public Library on Saturday, December 13, 2025, from 11:00 am until 4:00 pm, with a showing of Pride & Prejudice at the Appalachian Theatre on Tuesday, December 16, 2025, at 6:00 pm.

Adjournment

Commission Member Carter made a motion, seconded by Vice-Chair Bond, to adjourn the meeting at 3:45 p.m.

Vote: Aye – 5
Nay – 0

The motion passed.

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Vardell Smyth, Chair **Brenda Henson, Board Clerk**