Town of Boone
Town Council/Planning Commission
Public Hearing
6:00 PM, September 28, 2026
Town Council Chambers
1500 Blowing Rock Road

1. Call to Order of Town Council and Planning Commission
2. Moment of Silence
3. Approval of Meeting Minutes
   A. Approval of July 27, 2026, Public Hearing/Planning Commission Meeting Minutes
4. Public Hearing
   A. Case A26-0515 Khulaqi Parcel - General Use Zoning Map Amendment
   B. Case A26-0521 - Clement Street Apartments, LLC - Conditional District Zoning Map Amendment
5. Adjournment of Town Council

Planning Commission Meeting

6. Discussion and Recommendation on Case(s) Heard at the Public Hearing
7. Consideration of Chair and Vice-Chair Applications
   A. Application for Planning Commission Chair
   B. Applications for Planning Commission Vice-Chair
8. Other Matters
9. Adjournment

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 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.

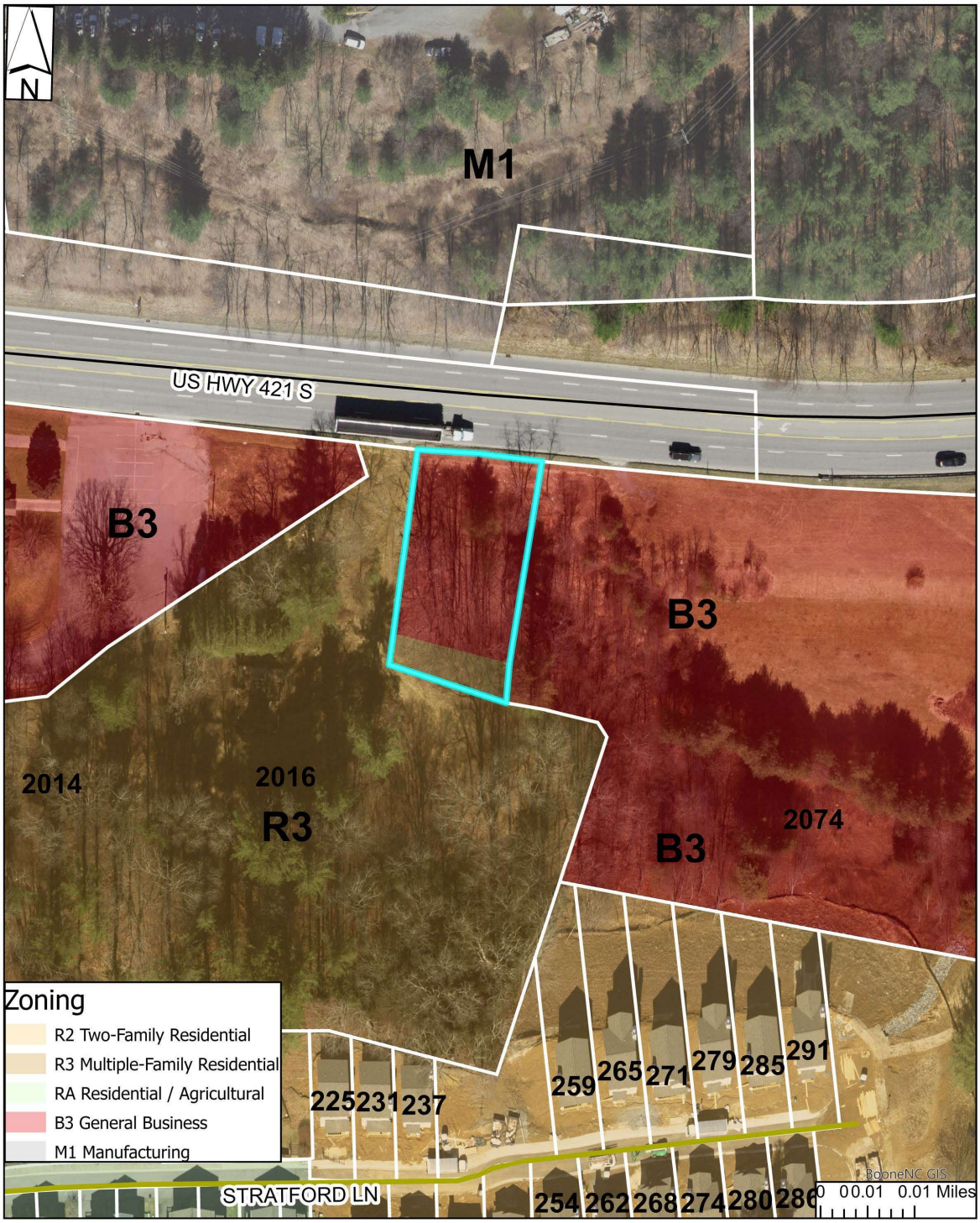
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Frank Veno, Planning Commission Chair **David Pedersen, Board Clerk**

DRAFT

Staff Report
Public Hearing
September 28, 2026
Case A26-0515 Khulaqi – General Use Zoning Map Amendment

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N
M1
US HWY 421 S
B3
B3
2014
2016
R3
B3
2074
Zoning
R2 Two-Family Residential
R3 Multiple-Family Residential
RA Residential / Agricultural
B3 General Business
M1 Manufacturing
225
231
237
259
265
271
279
285
291
STRATFORD LN
254
262
268
274
280
286
BooneNC GIS
0 0.01 0.01 Miles

Request

Abdulrahman Yasser Khulaqi has submitted a General Use Zoning Map Amendment application to rezone a portion of the property located on US Hwy 421 S (Watauga County PINs: 2920-09-4335-000) from R3 Multiple-Family Residential to B3 General Business with Corridor District Overlay. The property is outlined in blue on the map above.

Case Exhibits

The applicant did not submit any exhibits for this request. Staff generated materials are the Staff Report, Staff Exhibit 1, and the ordinance included as Staff Report Exhibit A.

Exhibit #	Items
Staff Report Exhibit A	Ordinance #A26-0515

Parcel Information

Parcel Specifics

Property Owner	Abdulrahman Yasser Khulaqi
Address	TBD US Hwy 421 South
Watauga County PIN(s)	2920-09-4335-000
Use	Vacant, undeveloped
Size	0.311 ac
Access	US Hwy 421 South
Steep or Very Steep Slope	No

Existing Zoning/Extraterritorial Jurisdiction (ETJ)History

Watauga County PIN(s)	2920-09-4335-000
Existing Zoning	(Split-zoned) B3 General Business/R3 Multiple-Family Residential with Corridor District Overlay

Requested Zoning

District Descriptions	**B3 General Business with Corridor District 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. **Corridor District Overlay**

	The corridor districts are established overlay district intended to protect the main thoroughfares though Town. **US Hwy 421 East:** Beginning at the intersection with US Hwy 321 (Hardin Street) and extending east along the centerline of US Hwy 421 to the farthest extent of the Town's planning jurisdiction. This Corridor District includes both the old two-lane portion of US Hwy 421 and the new four lane portion of US Hwy 421 located in the Town's extraterritorial jurisdiction.

Existing Site Characteristics

The parcel is an approximate 0.311-acre site. The site's access would be from US Hwy 421 S. It is a vacant lot on the west side of a hotel under construction and on the east side of a multi-family apartment development.

The elevation along the northern portion of the property at US Hwy 421 S is approximately 3104'. From that point, the site has little rise, roughly 12' in elevation overall. Supporting photos are provided below.

Photo 1



Photo 2



Photo 3



Photo 4



Zoning and Use of Adjacent Properties

	District	Use
North	M1 Manufacturing with Corridor District Overlay	Manufacturing, Retail
East	B3 General Business with Corridor District Overlay	Hotel

South	R3 Multiple-Family Residential with Corridor District Overlay	Multi-Family apartments
West	B3 General Business/R3 Multiple-Family Residential with Corridor District Overlay	Religious Assembly

North:



East:



South:



West:



Zoning Comparison Analysis

Standards Comparison

R3 Development Standards	B3 Development Standards
Minimum Gross Land Area: 20,000 square feet (0.46 ac)	Minimum Gross Land Area: 5,000 square feet (0.11 ac)
Minimum Lot Width: 80 feet	Minimum Lot Width: 50 feet
Minimum Street Frontage: 64 feet	Minimum Street Frontage: 40 feet

Minimum Livability Space: .40	Minimum Livability Space: .27
Minimum Setbacks 1. Street: 20 feet 2. Interior: 13 feet	Minimum Setbacks 1. Street: 20 feet 2. Interior: 17 feet
Maximum Building Height: 3 stories	Maximum Building Height: 3 stories/45 feet (primary) – 4 stories/56 feet (secondary)
Occupancy: One (1) family or up to four (4) unrelated persons (see Section 14.04) per dwelling unit. A dwelling occupied by a family (but not by unrelated persons) may also have two (2) roomers.	Occupancy: One (1) family or up to four (4) unrelated persons (see Section 14.04) per dwelling unit. A dwelling occupied by a family (but not by unrelated persons) may also have two (2) roomers.

Staff Note: With the parcel being approximately 0.311 ac, it would be under the minimum gross land area of 20,000 ft2 for a R3 zoning classification but would meet the B3 standard of 5,000ft^2. The lot meets other intensity standards as listed for both the R3 and the B3 zones.

Use Comparison

The applicant has requested for a B3 General Business District with Corridor District Overlay.

Use #	Use	R3	B3	Reference
1.0 Household Living				
1.06	Duplex (one duplex building per lot)	P		
1.07	Duplex (more than one duplex building per lot)	L		15.03
1.08	Townhouse (up to 30 bedrooms)	L		15.03
1.09	Townhouse (31-100 bedrooms)	L		15.03
1.10	Townhouse (> 100 bedrooms)	CD		15.03
1.11	Multi-Family Dwelling (up to 30 bedrooms)	CD		15.03
1.12	Multi-Family Dwelling (31-100 bedrooms)	CD		15.03
1.13	Multi-Family Dwelling (> 100 bedrooms)	CD		15.03
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)	CD	L	15.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)		CD	15.04
1.16	Multi-Family Dwelling in Mixed Use (> 100 bedrooms)		CD	15.04
1.17	Adult Living Community	CD		
2.0 Group Living				
2.01	Family Care Home	L		15.06
2.03	Residential Reentry, Category 1	CD		15.07
2.04	Residential Reentry, Category 2	CD		15.07
2.05	Residential Care Facility		P	
2.07	Boarding House	L	C	15.10
3.0 Transient Living				
3.02	Shelter for Homeless, Category 1	L	L	15.12
3.03	Shelter for Homeless, Category 2	CD	L	15.12
3.04	Bed and Breakfast, Category 1	L		15.13
3.05	Bed and Breakfast, Category 2	CD	L	15.13
3.06	Vacation Rental		L	15.14
3.07	Homestay Rental	L	L	15.05

Use #	Use	R3	B3	Reference
3.08	Motel		CD	
3.09	Hotel, Small		P	
3.10	Hotel, Large		CD	
3.11	Hotel, extended stay		CD	
4.0 Institutional				
4.03	Funeral Home Establishment		P	
4.04	Crematorium		CD	
4.05	Cemetery	P	P	
4.06	Post Office		P	
5.0 Government Uses				
5.01	Government Cultural Facility	CD	P	
5.02	Government Neighborhood Cultural Facility, Indoor Activity Only		P	
5.03	Government Neighborhood Cultural Facility, Includes Outdoor Activity	CD	P	
5.04	Recreation Facility, Category 1	P	P	
5.05	Recreation Facility, Category 2	P	P	
5.06	Recreation Facility, Category 3	CD	CD	
5.07	Event Venue, Category 1	P	P	
5.08	Event Venue, Category 2	CD	P	
5.09	Event Venue, Category 3		CD	
5.12	Police Substation	P	P	
5.13	Utility Facility, Town	L	L	15.16
5.14	Utility Facility, Government, Neighborhood	L	L	15.16
5.15	Utility Facility, Government, Regional	L	L	15.16
5.16	Government Facility	CD		
6.0 Non-Government Utility Facility				
6.01	Utility Facility, Neighborhood	L	L	15.16
6.02	Utility Facility, Regional		CD	15.16
7.0 Wireless Communication				
7.01	Small Wireless Collocation	L	L	15.18
7.02	Wireless Facility Collocation on Existing Wireless Support Structure or Utility Pole	L	L	15.17
7.03	Stealth Wireless Facility Attached to Existing Building or Structure	L	L	15.17
7.05	Non-stealth Wireless Facility Collocation on Electrical Transmission Towers	L	L	15.17
7.06	Stealth Wireless Support Structure	L	L	15.17
7.07	Non-stealth Wireless Support Structure	L	L	15.17
7.08	Emergency Response Communication Antenna	P	P	
8.0 Assembly				
8.01	Religious Assembly, Category 1	P	P	
8.02	Religious Assembly, Category 2	CD	P	
8.03	Religious Assembly, Category 3		CD	
8.04	Club/Lodge		CD	
10.0 Daycare				
10.01	Child Daycare, Large	L	L	15.19
10.02	Child Daycare Center		L	15.19
10.03	Adult Daycare, Large	L	L	15.19
10.04	Adult Daycare Center		L	15.19
10.05	All Other Daycare		CD	
11.0 General Sales and Service				
11.01	Kennel		CD	15.20
11.02	Veterinary Office/Hospital with Outdoor Kennels		CD	15.20
11.03	Veterinary Office/Hospital without Outdoor Kennels		P	
11.04	Financial Institution ≤ 5,000 ft^2		P	
11.05	Financial Institution > 5,000 ft^2		P	
11.06	Restaurants ≤ 3,500 ft^2		P	

Use #	Use	R3	B3	Reference
11.07	Restaurant > 3,500 ft² open to the public during 10 pm – 6 am		P	
11.08	Other Restaurants > 3,500 ft²		P	
11.09	ABC Store		P	15.66
11.10	Personal Service Establishments		P	
11.11	Retail Store up to 5,000 ft²		P	
11.12	Retail Store more than 5,000 but less than 25,000 ft²		P	
11.13	Retail Store 25,000 ft² and greater		L	15.21
11.14	Business or Professional Office		P	
11.15	Medical Office, Category 1		P	
11.16	Medical Office, Category 2		P	
11.17	Medical Office, Category 3		P	
11.18	Medical Office, Category 4		P	
11.20	Medical Emergency Response		P	
11.21	Open Air Market, Recurring		L	15.22
11.22	Vehicle Sales and Service		L	15.23
11.23	Equipment Sales and Service		L	15.24
11.24	Moped Sales and Service		P	
11.25	Boat or Marine Craft Sales and Service		L	15.25
11.26	Impound Lot/Towing Service		L	15.26
11.27	Gas Station		CD	
11.28	Car Wash		CD	
11.29	Seasonal Retail Activities and Amusements		P	
11.30	Electric-Vehicle Charging Station		CD	15.65
12.0 Recreation & Entertainment Uses				
12.01	Indoor Shooting Range		S	15.27
12.03	Indoor Theater		P	
12.04	Outdoor Theater		CD	
12.05	Event Venue, Category 1		P	
12.06	Event Venue, Category 2		P	
12.07	Event Venue, Category 3		P	
12.08	Campground and Recreational Vehicle Park		L	15.28
12.09	Coliseum		CD	
12.10	Recreation Facility, Category 1		P	
12.11	Recreation Facility, Category 2		P	
12.12	Recreation Facility, Category 3		CD	
13.0 Agriculture				
13.01	Garden, Community	L	L	15.29
13.02	Garden, Residential	L	L	15.30
13.09	Forestry	L	L	15.31
14.0 Manufacturing				
14.01	Microbrewery/Microdistillery		L	15.32
14.02	Brewpub		L	15.32
14.03	Brewery/Distillery		L	15.33
14.06	Winery		L	15.35
14.09	Machine/Welding Shop		L	15.37
15.0 Parking				
15.01	Parking Lot		L	15.39
15.02	Parking Structure	CD	L	15.40
15.03	Park and Ride Lots		L	15.39
16.0 Storage				
16.01	Self-Storage Facilities		CD	15.41
16.04	Fuel Storage Facility		L	15.67
17.0 Transportation				
17.01	Passenger Terminals	CD	CD	
17.02	Trucking or Freight Terminal ≤ 10,000 ft²		CD	

Use #	Use	R3	B3	Reference
19.0 Particular Activities Which Pose Particular Concern About Public Health				
19.01	Electronic and Internet Gaming		S	15.43
19.02	Adult Establishments		S	15.44
Allowable Accessory Uses				
A-1	Secondary suite	L	L	15.45
A-2	Home occupation	L	L	15.46
A-3	Accessory dwelling unit	L	L	15.47
A-4	Drive-through		CD	15.48
A-5	Outdoor display		L	15.49
A-6	Outdoor storage		L	15.50
A-7	Outdoor dining		L	15.51
A-8	Automated teller machine (ATM)	P	P	
A-9	Automated teller machine (ATM), freestanding	L	L	15.52
A-11	Poultry	L	L	15.54
A-12	Livestock, small	L	L	15.55
A-14	Bees	L	L	15.57
A-15	Garden, residential	L	L	15.58
A-16	Satellite receiving antennas less than 1 meter in diameter	P	P	
A-17	Satellite receiving antennas less than 2 meters in diameter		P	
A-18	Satellite receiving antennas 2 meters and greater in diameter		S	
A-19	Helistop		S	
A-20	Swimming pools, spas, and hot tubs	L	L	15.59
A-21	Caretaker's residence		L	15.60
A-22	Vehicular gate	L	L	15.61
A-24	Chemical storage facility		CD	
A-25	Open air market, accessory	L	L	15.22
A-26	Daycare, small	P	P	
A-27	Limited structure to enable recreational use of open rooftops	CD	CD	14.03.07(F) 14.19.06(H)(8)(d)
A-28	Solar Energy System	L	L	15.64
A-29	Electric-Vehicle Charging Station	L	L	15.65
Allowable Temporary Uses				
T-1	Temporary family care structure	L	L	15.62
T-2	Temporary construction or repair dwelling	L	L	15.62
T-3	Temporary construction trailer	L	L	15.62
T-4	Temporary mobile medical unit		L	15.62
T-5	Temporary classroom		L	15.62
T-6	Temporary portable storage containers	L	L	15.62
T-7	Temporary staging		L	15.62
T-8	Temporary non-fixed site event venue		L	15.62
T-9	Carrier on wheels (cow)	L	L	15.62

Use #	Use	R3	B3	Reference
T-10	Yard sales	L	L	15.62
T-11	Itinerant merchant/peddler	L	L	15.62
T-12	Open air market, temporary		L	15.62
T-13	Temporary Use 9.01 Public Colleges and Universities		L	15.62
T-14	Temporary Disaster Relief	L		15.62

Staff Note: The blank boxes are the uses not permitted in the zoning district listed.

Intensity Comparison

Zoning District	Minimum Gross Land Area	Minimum Lot Width	Minimum Street Frontage	Minimum Livability Space Ratio* (LSR)	Minimum Setbacks	
					Street	Interior
R3	20,000 sq. ft.	80 ft.	64 ft.	.47	20 ft.	13 ft.
B3	5,000 sq. ft.	50 ft.	40 ft.	.27	20 ft.	17 ft.

Building Height Comparison

Zone	Height Limitation
R3	3 stories
B3	3 stories/45’ (primary)-4 stories/56’ (secondary)

Occupancy Comparison

Occupancy Regulation (persons per dwelling unit)	Zoning District
One family or up to 4 unrelated Note: a dwelling occupied by a family (but not unrelated persons) may also have one (1) roomer.	R3 Multiple-Family B3 General Business

Staff Note: The occupancy regulation is the same for the R3 and the B3 zoning districts.

Comments from other Town Departments

In addition to the Planning review, the submitted plans were evaluated by other Town departments for compliance with applicable codes. Their comments are provided below.

Fire: The application has been reviewed with the following comments:

- No comment.

Police: The application has been reviewed with the following comments:

- No comment.

Public Works

Public Works: Services - The application has been reviewed with the following comments:

- No comment.

Public Works: Utilities - The application has been reviewed with the following comments:

- No comment.

Staff Note: If approved, the applicant will be required to submit full plans demonstrating complete compliance with the current ordinance for any zoning permit issued.

Procedural Analysis

This request involves one procedural action for zoning. The process ensures that the actions are considered holistically in light of Boone Next. The process will continue as scheduled unless delayed.

Date	Step	Guidance
September 28, 2026	Zoning Public Hearing	• A public hearing before the Council and the Planning Commission is held on zoning. • The Planning Commission provides a required zoning recommendation.
October 28, 2026	Final Council Decisions	• Council votes on zoning consideration.

General Use Zoning Map Guidance

Pursuant to UDO Subsection 9.02.01 (A)(2), any person may petition for a map amendment by submitting the required fee and a petition in such form and including such information as may be required by the Administrator.

Pursuant to UDO Subsection 9.07, in deciding whether to adopt a proposed amendment to this Ordinance, the central issue before the Council is whether the proposed amendment advances the public health,

safety, or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the Mayor and be excluded. In particular, when considering proposed general use map amendments:

A. The Council shall not consider any representations made by the petitioner that if the change is granted the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Council shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

B. The Council shall only consider the impact of the proposed change on the public at large.

Procedural Requirements (UDO Subsection 9.02)

Standard	Comments	Compliance
9.02.01(A)(3) Minimum Requirements(s)	• The name, address, and phone number of the applicant • A description of the land affected by the proposed amendment • A description of the proposed map change; and • In the case of a Conditional District map amendment, those items described at Section 9.09.	Yes

Conformity to Adopted Plans

Boone Next: Our Town, Our Future

Community Vision	Land Use and Development Vision
We will be a prosperous, livable, people-oriented mountain community modeling resilient growth that promotes and protects our natural resources with diverse housing options and dynamic economic opportunities. We will celebrate and build upon our community's historic foundation to leave a sustainable and equitable town for future generations.	Grounded in its historic character, Boone will be a distinct pedestrian-oriented town that is affordable, livable, human-scale, and connected through a network of walkable, mixed-use corridors and activity centers.

Planning Principles: The Boone Next Planning Principles are intended, as a collective, to provide a core vision to guide planning, zoning, and development decisions. These principles should be carefully considered with respect to all zoning map amendments, ordinance text amendments, and other development decisions as well as other town planning and policy initiatives.

Planning Principle 1

Prioritize thoughtfully designed development of underutilized land within the town's existing built-upon areas over development of undeveloped land on the town's outer limits.
It is preferable to accommodate growth in locations within the existing town limits that are appropriate for, can support, and would be enhanced by, new development. Infill and redevelopment will occur in a strategic manner that considers community needs like provision of and access to goods, services, transit, and quality public space.

Planning Principle 3

Encourage compact, human-scale development that integrates a vertical mix of uses (residential, commercial, office, institutional, civic, etc.) and connects with existing developed areas.
Places will be created with multiple uses in proximity to each other, perhaps on the same site and/or in the same structure. Close attention will be given to the compatibility of those uses and their surroundings. Uses will be arranged in a manner that maximizes pedestrian activity and create "communities within our community."

Planning Principle 4

Encourage development and connections that better balance the needs of pedestrians, drivers, cyclists, and transit users.
Opportunities will be sought to improve the street pattern and connectivity, thereby increasing travel options, potentially decreasing vehicle miles, reducing congestion, and improving safety.

- A connected street pattern will be the preferred network for future development and redevelopment unless prevented by streams, steep slopes, or other barriers.
- Well-connected streets will be designed with short blocks and alleys and include sidewalks and street trees to facilitate walking.
- Streets and trails will have high connectivity within and between neighborhoods and commercial districts.
- Bicycle and pedestrian trails with supporting amenities will be integrated into new development and areas undergoing redevelopment.
- Enhance connectivity to community amenities; add sidewalks, bike facilities, transit, and other pedestrian safety facilities where feasible.

Planning Principle 10

Encourage appropriate development to meet the town's urgent need for housing or other specific community needs by means of density bonuses or other mechanisms.
Encourage construction of affordable housing, public infrastructure, or other identified community needs by means of density bonuses or other incentives in appropriate areas of the town. For example, increased building height or additional units may be allowed in exchange for incorporating affordable housing units in a development.

Growth Management Tiers Map: The Growth Management Tiers Map is a policy tool intended to help Boone manage the growth of its corporate limits. The map identifies areas inside and outside the corporate limits that are likely to face development pressures, and it identifies those areas that are most appropriate for the town to consider serving by means of annexation within the next 10 to 15 years. The Growth Management Tiers Map is supplemented by and should be applied in concert with the Future Land Use Map, where applicable. The overall purposes of the map are to:

- Promote better interjurisdictional and long-range planning between and among the town, Watauga County, and utility providers.

- Encourage long-term fiscally and environmentally sustainable growth by carefully managing the extension of taxpayer-funded town services
- Encourage infill development
- Inform developers, landowners, farmers, and residents with respect to the town's priorities and approach to the growth of its corporate limits
- Provide policy guidance to town decision-makers regarding annexations, town service provision, fees and incentives, and locations for capital improvements

This property is located within the **Priority Growth Area**.

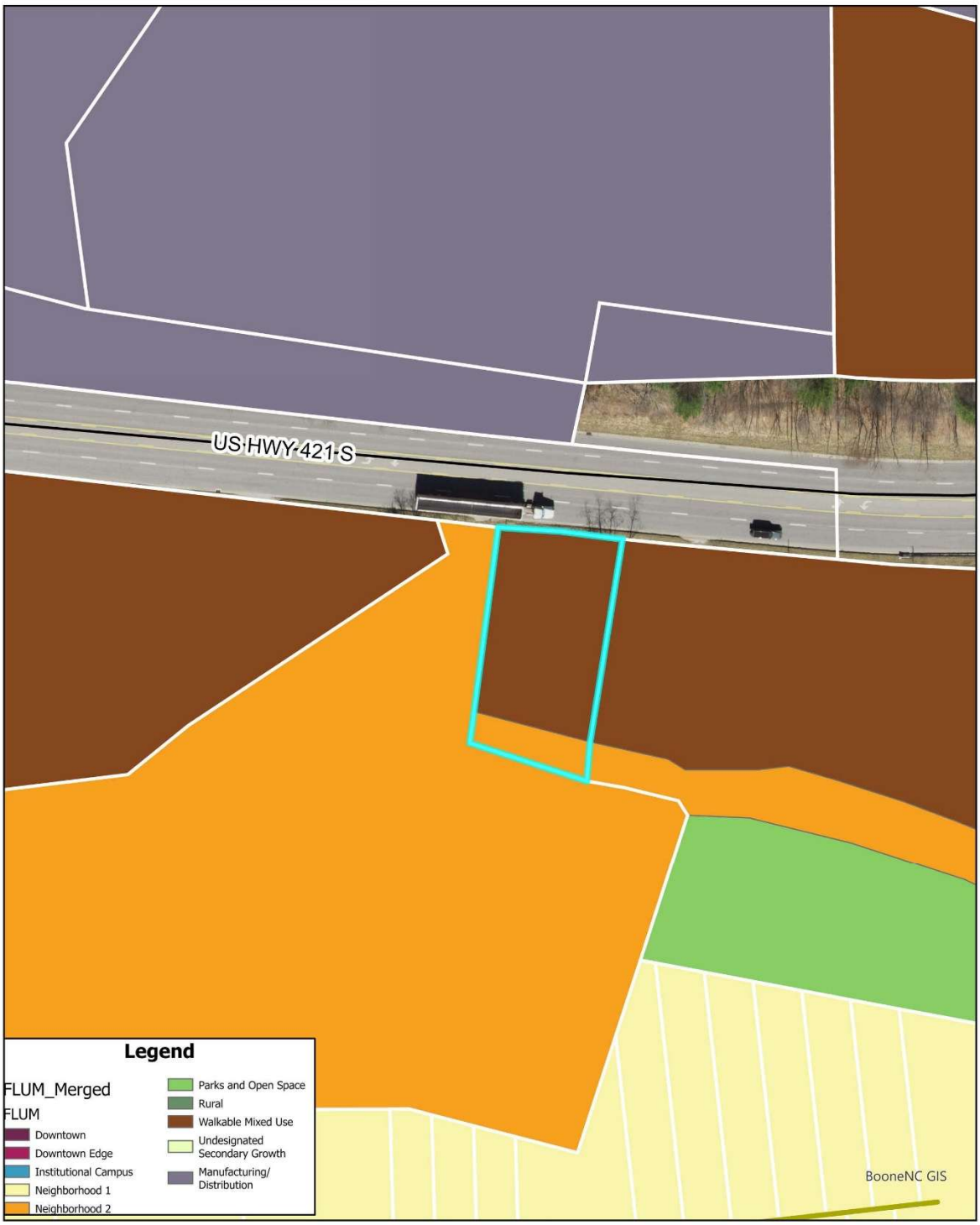
Priority Growth Area is land where growth is most encouraged; designated as Downtown, Downtown Edge, and Walkable Mixed Use on the Future Land Use Map.

Future Land Use Map

The Future Land Use Map is a critical tool intended to give shape to and help implement Boone's vision for the next 15-20 years. The map and associated land use types provide a framework for development and other land use-related decisions, including decisions on public infrastructure and transportation.

In legislative decision-making cases, Council and the Planning Commission will review Boone Next and the Future Land Use Map to ensure that the request:

- is consistent with the goals and policies set forth in this plan; and
- is consistent with the land use type as shown on the Future Land Use Map;
- and if not ensure that the requested change of zoning will not negatively impact the intent of the mapped land use type; and
- is supported by existing or planned infrastructure.



The property included in the request is mapped in the Walkable Mixed Use and Neighborhood 2 land use types. Please see below for more details on these land use types.

Description	Objectives	Primary Uses
Walkable Mixed-Use areas are envisioned as places that should evolve from existing auto-oriented patterns into green, walkable, mixed-use corridors and destinations. New street and alley grids may be established, fostering a more urban environment while maintaining a commitment to well-designed, green, and visually-engaging building patterns. Buildings in these areas are oriented toward the street and generally up to four stories in height; in some cases, on appropriately sized and located lots, they may reach up to six stories. Parking and drive aisles in the front are minimized and the majority of parking placed to the sides and rear. Ground floors should feature ample transparent windows and doors. Ground floors should create an inviting atmosphere for pedestrians by, for example, incorporating features like generous transparent windows and inviting entryways. Where appropriate, wider sidewalks and street trees enhance the pedestrian experience and promote a sense of place. The overall vision behind the Walkable Mixed-Use Land Use Type is to foster vibrant, self-	- Eliminate curb cuts on arterials through rear access parking and new alley construction and dedication - Evaluate opportunities for neighborhood scale- businesses that enhance neighborhoods with accessible resources such as cafes, small grocers/bodegas, and childcare facilities - Mixed-use buildings provide a variation in layout and size for ground floor non-residential uses - Encourage and facilitate public spaces like plazas, playgrounds, and other public amenities	- Vertical mixed-use with ground floor commercial and upper story residential and/or appropriate commercial uses; or a mix of single-use commercial and/or residential buildings within a single development - Multi-family - Limited light industrial/manufacturing uses with minimal external impacts

sufficient communities where everything is just a short stroll away – a true realization of the "15-minute city" or "city within a city" concept. Here, residents enjoy access to local businesses, services, and amenities that cater to their daily lives, while commercial spaces thrive on the support of a connected residential environment.		
Neighborhood 2 describes neighborhoods composed primarily of higher density multifamily housing in various forms and includes some buildings with ground floor nonresidential uses. Neighborhood 2 may include a variety of housing types in larger developments which could result in a mix of low- to high-density housing. These neighborhoods are suited for low- to mid-rise construction. In some cases, on appropriately sized and located lots, height may reach up to four stories, with an overall building form (height, setbacks, and density) appropriate to each neighborhood's existing character. Decisions on density and form are based on location and infrastructure availability.	- Protect, maintain, and promote affordable housing - Enhance connectivity to community amenities; add sidewalks, bike facilities, transit, and other pedestrian safety facilities where feasible - Supportive nonresidential uses where appropriate - Evaluate opportunities for neighborhood scale- businesses that enhance neighborhoods with accessible resources such as cafes, grocery stores, and childcare facilities	- Multi-family - Other lower density residential uses - Vertical mixed-use with limited ground floor commercial and upper story residential uses

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.

Policy 1.1.1 Use the Future Land Use Map

Use the Future Land Use Map to guide development, growth, and conservation decisions. Additionally, use the Focus Area Plans for more detailed policy direction within each of those areas.

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 1.2.2: Infill Development Enhances the Town

Infill development is important because it directs growth away from natural areas, but it must be done well. Infill development shall enhance and not detract from the building character of the town by replicating key elements of Boone's cherished historic design features (like building scale, proportion, setbacks, character) with high quality, pedestrian-oriented design and providing public goods like plazas, wide sidewalks, public art, and affordable spaces for living, artists, and small businesses. Rules for new development should avoid financially incentivizing displacement of vulnerable populations.

Policy 1.2.4: Create and Enhance Gateways

Gateways can serve as visual cues that travelers are passing between and arriving in new places. New development, public infrastructure projects, and preservation efforts should consider gateways into Boone and between distinct areas within the town.

Policy 1.2.5: Use Appropriate Transitions Between Different Scales and Intensities

Use appropriate transitions between different building uses and intensities by stepping down building heights and scale from areas allowing taller buildings to primarily residential neighborhoods.

Goal 1.4: A NETWORK OF OPEN SPACE & GREEN CORRIDORS

Boone will build on its reputation as a green and outdoor city, creating and protecting an integrated network of green corridors, parks, and open spaces as well as meaningful rural and agricultural uses.

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.

Policy 1.4.2 Integrate Green Space Throughout the Built Environment

Abundant access to green space is vital to human health. Continue to thread green space throughout the built environment by growing, enhancing, and protecting the urban tree canopy like street trees, and providing natural green public spaces, neighborhood gardens, green walls, and greenways. To the extent possible, encourage native landscaping.

Policy 1.4.5: Protect Valued Mountain Viewsheds

Boone is a beautiful mountain town and must protect those viewsheds deemed most important by the Boone community.

Goal 1.5: INTENTIONAL GROWTH MANAGEMENT

Boone will manage growth thoughtfully and intentionally within its borders and at its edges to enhance the town's livability and meet the needs of a growing community.

Policy 1.5.1: Manage Growth to Balance Protection of Community Character and Natural Areas While Directing Desired Growth to Identified Centers

The town will manage growth in a manner that balances the protection of community character and natural lands while accommodating future population. Change in the community will be carefully managed to protect critical natural lands, provide a variety of housing options for a diversity of households, support economic development, support fiscal balance, ensure adequate public safety services, and utilize growth patterns that support regional and local transit services. Lands within the town's current corporate limits are priorities for infill and redevelopment. New development areas contiguous with the town and in identified activity centers should be secondary priorities for development and ahead of areas outside centers.

Policy 1.5.3: Guide Growth Using the Growth Management Tiers Map

The Growth Management Tiers Map serves as a guide for development and investment decisions. The map's purpose is to ensure Boone accommodates growth consistent with the Boone Next Planning Principles, intentionally directs growth to desired areas, manages the pace of development, and aims for fiscal balance. This map is intended to be used when considering zoning and development approvals, utility service extensions, annexations, incentives, and capital investments. This map should be used in coordination with the Utility Service and Annexation Criteria. The Growth Management Tiers Map will be updated from time to time to reflect changing planning conditions.

Goal 1.6: AN AFFORDABLE TOWN TO LIVE IN

Boone will facilitate sustainable affordable housing for low- to middle-income residents.

Policy 1.6.4: Make Daily Needs More Accessible Across Boone

Consider both the cost of housing and the cost of transportation as the town develops, recognizing that transportation costs rise as distances to daily needs like grocery stores, daycare, work, and school increase. Focus on distribution of uses and services using walkable urban design principles that make daily needs more accessible to all ages and abilities. Measure and track progress toward increasing the proportion of residents living within a comfortable 5-10 minute walk, bike, or transit ride to daycare facilities; grocery stores; parks, greenways, or playgrounds; and employment destinations.

Goal 3.1 A STRONG AND DIVERSE LOCAL ECONOMY

Boone will have a strong and diverse local economy that builds on existing economic sectors and fosters the growth of new green economic sectors.

Policy 3.1.1: Build on Boone's Existing Economic Assets

Leverage existing economic assets by promoting businesses that are actively investing in Boone and providing living wage jobs.

Policy 3.1.4: Support Boone's Small Businesses

Support Boone's independent businesses and ensure existing resources are adequately advertised to existing and prospective small business. Foster a spirit of entrepreneurship and information-sharing. Create opportunity for creating new locally-owned small businesses, including protecting and expanding the supply of small, affordable spaces in existing and new buildings.

Policy 3.1.5: Stimulate Equity in Economic Development

Support the development and growth of worker-owned businesses as a means of promoting higher wages, upward mobility, and a diversity of locally-owned services. Support growth of and collaboration with unions and unionized businesses.

Goal 3.3 A RENOWNED TOURISM DESTINATION

Boone will continue to be a tourism destination with its access to the Appalachian Mountains, the beauty of its natural surroundings, and its outstanding shopping, food, entertainment, and cultural offerings. Tourism infrastructure will have the added effect of contributing directly to the quality of life of local residents.

Policy 3.3.3: Plan for Parking

Collaborate with partners to expand access to high quality, affordable internet services.

Goal 4.4 LONG-TERM FISCAL BALANCE

Long-term fiscal balance will be achieved through land use and growth decisions that are informed by long-term fiscal impacts of development.

Policy 4.4.1: Promote Use of Existing Resources

Promote infill, redevelopment, and adaptive use as a way to maximize use of existing services, infrastructure, and utilities.

Policy 4.4.2: Proactively Manage Growth and Development

Anticipate and guide future growth and development using the planning principles, frameworks, and maps in this Comprehensive Plan to ensure that new development can be supported by town infrastructure and services while protecting open space.

Policy 4.4.3: Promote Smart Growth

Ensure new growth and development is fiscally balanced in the long run while directing more growth to areas with existing services and infrastructure. Some types of developments and land uses are necessary to the social needs of the town and do not necessarily directly improve the town's fiscal balance, such as recreation and cultural facilities or affordable housing. Encourage compact development that can be more efficiently served, especially as indicated on the Future Land Use Map.

Policy 4.4.4: Consider Community Priorities and Long-Term Impacts

Consider community priorities and long-term impacts in decision-making, with the understanding that some community priorities may not have positive fiscal impacts and some decisions may not provide short-term benefits.

Goal 5.2 SUSTAINABLE BUILDINGS, OPERATIONS, AND INFRASTRUCTURE

Boone will seek sustainable practices in buildings, operations, and infrastructure of town government and across the community.

Policy 5.2.2: Manage Growth on Boone's Edges

Intentionally manage outward growth to balance protecting community character and natural areas while directing desired growth to identified centers. Use the Utility Service and Annexation Criteria and the Growth Management Tiers Map to manage growth.

Policy 5.2.5: Sustainable and Accessible Foods

Eliminate food deserts and aim to expand the proportion of residents living within a half mile travel distance of a grocery store. Support and promote farmers markets as ways of offering fresh foods and supporting food and farmers, produced within the region. Support and promote community gardens. Support residential gardens, including in front yards, and ensure there are not unnecessary regulatory barriers.

Planning Board Report/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 current 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 plan is or is not consistent.*

Vote 2: The Planning Commission recommends ☐**approval** OR ☐**denial** of Ordinance #A26-0515 within Staff Report Exhibit A and ☐**approval** OR ☐**denial** is reasonable and in the public interest because:

Note 2

_____

_____

_____

***Note 2**: briefly explain why, factors may include the benefits and detriments to the landowners, the neighbors, and the surrounding community; why the action taken is in the public interest; and any changed conditions warranting the amendment.*

Town Council Action Required – September 28, 2026

No Council action is anticipated at this meeting. Final consideration would occur at a future Town Council meeting (anticipated to be October 28, 2026) upon receipt of the Planning Commission's recommendations.

Staff Report Exhibit A: Ordinance #A26-0515

ORDINANCE # A26-0515

AN ORDINANCE TO REZONE PROPERTY WITHIN THE TOWN OF BOONE

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 zone the property below as presented:

Address: TBD US Hwy 421 South

Watauga County PINs: 2920-09-4335-000

Property Owner: Khulaqi, Abdulrahman Yasser

Zoning: B3 General Business District with Corridor District Overlay

WHEREAS, the Boone Town Council held a duly-noticed public hearing on September 28, 2026 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 day October 28, 2026.

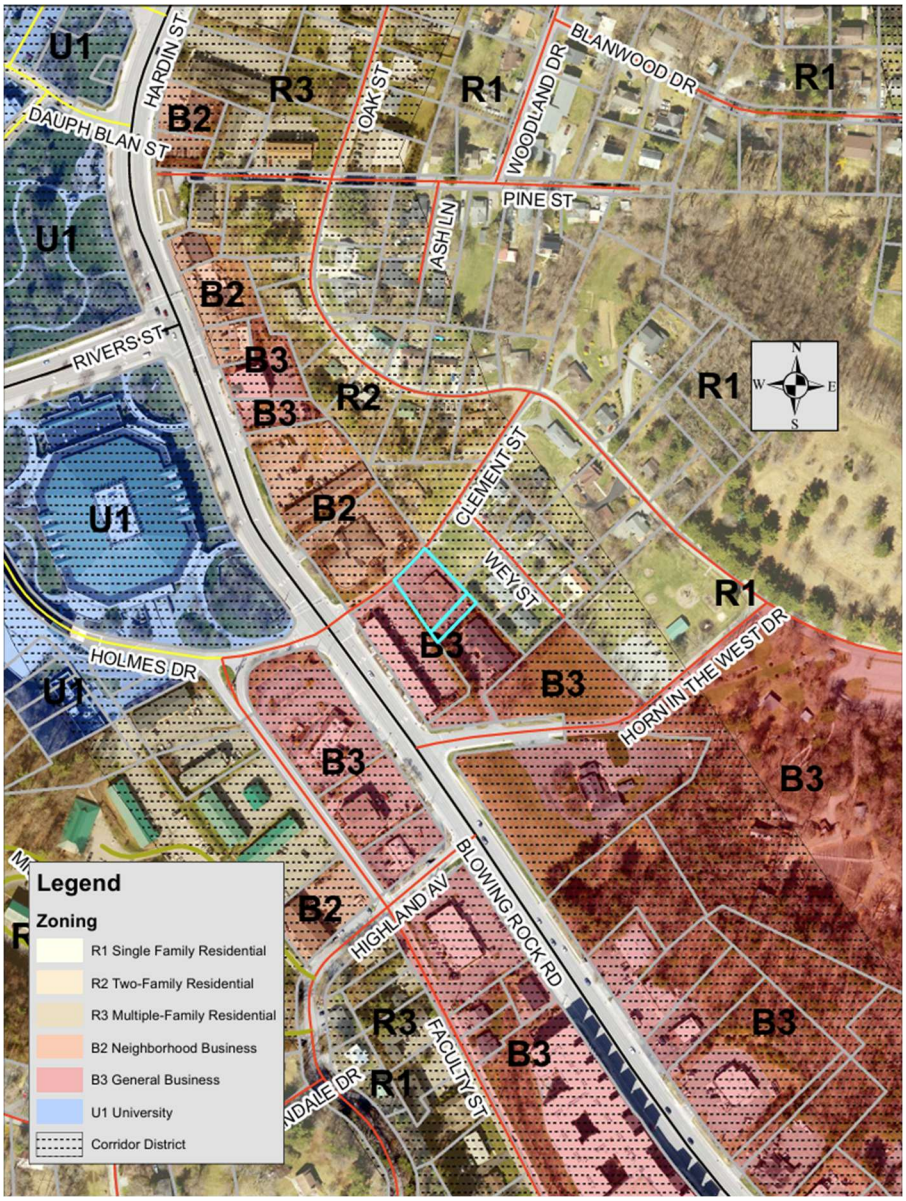
The Honorable Dalton George, Mayor

Attest:

Nicole Harmon-Church, Town Clerk

Staff Report
Public Hearing
September 28, 2026
Case A26-0521 Clement Street Apartments, LLC– Conditional District Zoning Map Amendment

Request 2
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Parcel Specifics 3
Requested Zoning 4
Existing Site Characteristics 4
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Request

Clement Street Apartments, LLC has submitted a Conditional District Zoning Map Amendment application to rezone property at 138 Clement Street. (Watauga County PINs: 2910-15-2928-000 & 2910-15-2953-000) from B3 General Business to Conditional District R3 Multiple-Family Residential District with a site-specific development plan for Use 1.11 Multi-Family Dwelling (up to 30 bedrooms). The request is for a 12-unit, 18-bedroom multi-family dwelling. The property is outlined in blue on the map above.

Requested Deviations (See Applicant Exhibit 1):

1. UDO Section 15.03.03(B): Deviation requested to remove the requirement of 25% of the units having a garage or carport.
2. UDO Section 15.03.03(C): Deviation requested to reduce the required livability space from .50 to the proposed 0.15, including balcony areas for upper floor units.

3. UDO Section 15.03.05(A): Deviation requested to remove the requirement of a common access bathroom in the upper floor two-bedroom units.
4. UDO 15.03.05(B): Deviation requested to remove the requirement of the primary bedroom to be larger and the minimum size of the bedrooms.
5. UDO 31.05.01(D): Deviation requested to reduce the required buffer yards on all three internal lot lines. The reduction is as much as 75% of the required buffer on the northeastern property boundary.
6. UDO 31.05.02: Deviation requested to remove the requirement for a street yard.

Case Exhibits

Applicant Exhibits (1-7) were submitted by the applicant. Staff generated materials are the Staff Report, in pack as Staff Exhibit 1, and includes Staff Report Exhibit A.

Exhibit #	Items
Applicant Exhibit 1	Applicant's Project Narrative – includes deviations, mitigations, proposed conditions, and affidavit
Applicant Exhibit 2	Supporting Materials
Applicant Exhibit 3	Site Survey
Applicant Exhibit 4	Floor Plans
Applicant Exhibit 5	Elevations
Applicant Exhibit 6	Neighborhood Meeting Notes and Notice
Applicant Exhibit 7	Geo Technical Report
Staff Report Exhibit A	Ordinance #A26-0357

Parcel Information

Parcel Specifics

Property Owner	Elvin M. Hundley	
Address	138 Clement Street	N/A
Watauga County PIN(s)	2910-15-2928-000	2910-15-2953-000
Use	Vacant	Vacant
Use Definition	Vacant	Vacant
Size	0.30 acres	0.07 acres
Access	Clement Street	N/A
Steep or Very Steep Slope	No	No
Existing Zoning:	**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. **Corridor District Overlay** The corridor districts are established overlay district intended to protect the main thoroughfares though Town. **US Highway 321:** Beginning at the intersection with US 421 (East King Street) and extending south along the centerline of US Hwy 321 to the farthest extent of the Town's planning jurisdiction.

Requested Zoning

District Descriptions	**Conditional District R3 Multiple-Family Residential District** The R3 Multiple-Family Residential District is established to provide a high-density area consisting of three or more dwelling units per lot plus limited-service use. The regulations for this district are intended to secure for the persons who reside there a comfortable, healthy, safe, aesthetically pleasing and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.

Existing Site Characteristics

The combined parcels will be an approximate 0.37-acre site. The site fronts Clement Street to the north, an undeveloped lot to the east, a three-story apartment building to the south, and Winkler Square Mixed-Use development to the west. The parcels are fully developed with an existing one-story brick building and associated parking lot. The parking lot extends to near the property boundary on all sides with small greenspaces along the south, west, and eastern property boundaries. The site is flat with no water features on the lots.

Photo 1



Photo 2



Photo 3



Photo 4



Zoning and Use of Adjacent Properties

	District	Use
North	B2 with Corridor District Overlay	Appalachian State University
East	R1 Single Family Residential	Vacant
South	B3 General Business with Corridor District Overlay	Multi-Family Dwelling (15 Units)
West	B3 General Business with Corridor District Overlay	Mixed Use Development

North:



East:



South:



West:



Zoning Analysis

To streamline staff reports and avoid restating UDO standards, this analysis focuses only on items that require attention by the Planning Commission and Town Council. Below staff have outlined limited use requirements where applicable and any staff concerns.

Any items not clearly shown, and any standards not requested for deviations, are expected to meet all applicable requirements. If approved the applicant will be required to submit full plans and specifications demonstrating complete compliance.

Limited Use Analysis

The applicant has requested Use 1.11 Multi-Family Dwelling (up to 30 bedrooms). Pursuant to UDO Article 34 Definitions, a multi-family dwelling is a building or combination of buildings on a single lot which includes three or more dwelling units. Multi-Family dwellings are subject to Limited Use Requirements as detailed in UDO 15.03.

Ordinance Requirement	Compliance
15.03.03(A): Townhouse style preferred and no one type of dwelling units, as defined by the number of bedrooms, shall comprise more than 50% of the total units.	Applicant intends to meet part of this requirement. The proposal is not a townhouse style but no one unit composes more than 50% of the total units as there are six (6) one-bedroom units and six (6) two-bedroom units.
15.03.03(B): Parking shall be limited to 2 spaces per unit; and a minimum of 25% of units shall have a garage or carport.	Deviation Requested, Applicant Exhibit 1 – Applicant is proposing no garages or carports and a minimum of one (1) parking spot per bedroom with a potential for six (6) extra spots for a potential maximum of 24 parking spots.

15.03.03(C): A livability space ratio of .50 must be met for the development. Fifty percent (50%) of the required livability space shall be designated to a defined area exclusively for the use of ground floor units. This space must consist of a common yard with accompanying private outdoor space for each ground level unit, or individual yards contiguous with the unit served. Either configuration must provide direct access from all ground floor units. The remaining livability space shall be designated for the use of the development as a whole as recreation space and shall be located so as to provide for direct auditory, visual, and physical access from the dwelling units served.	Deviation Requested, Applicant Exhibit 1 – Proposed livability space is .15 including external balconies for upper-level apartments.
15.03.03(D): On-site property management or an owner's association shall be required	Applicant intends to meet requirement. Applicant already owns and manages three other apartment buildings in town limits.
15.03.03(E): A minimum of 5% of the parcel shall be provided as recreation space for residents of the development.	Applicant intends to meet requirement. 5% of the current development would be approximately 800 square feet of recreation space.
15.03.04(A): Maximum building height shall be three (3) stories of occupied space and in no case shall the building exceed fifty feet (50') in total height including the roof or the maximum in the particular zoning district, whichever is less.	Applicant intends to meet requirement. Applicant is proposing a three-story building with a maximum height of under 50'.
15.03.04(B): If a pitched roof is proposed, the pitched roof area may be used as attic or storage space. If a flat roof is proposed, fifty percent (50%) of the roof area must be used as livability space.	Applicant is proposing a pitched roof to meet this requirement.
15.03.04(C): The front entrance of each unit on the first floor must be at ground level to the greatest extent particle.	Applicant intends to meet this requirement. Applicant proposes all first-floor units being built to ADA accessibility standards.
15.03.05(A): The bedroom to bathroom ratio of each unit within the development shall be limited as follows: 1. Efficiency unit and one (1) bedroom unit: one (1) bathroom. 2. Two (2) bedroom unit: one (1) or two (2) bathrooms, with no less than one bathroom with common access. 3. Three (3) bedroom unit: Two (2) bathrooms with no less than	Deviation requested, Applicant Exhibit 1 – The applicant is requesting a deviation of this standard in four of the six two-bedroom units. The applicant plans to meet the standard for the number of units; however, the four upper floor two-bedroom units will not have a bathroom with a common access.

one (1) bathroom with common access. 4. Four (4) or more bedroom unit: Three (3) bathrooms with no less than two (2) bathrooms with common access from a hall.	
15.03.05(B): In every unit with two (2) or more bedrooms, a designated master suite must be included and shall be at least twenty-five percent (25%) larger than every other bedroom and not less than 144 square feet excluding closet space.	Deviation requested, Applicant Exhibit 1 – The applicant is requesting a deviation of this standard to allow for the two-bedroom units to have two bedrooms of the same size and smaller square footage. The square footage of the bedrooms is proposed to be 108 square feet on the ground floor and 125-130 square feet on the upper floors.
15.03.05(C): Dedicated storage space of at least fifty square feet (50 ft^2) per unit must be provided for units without garages. Any storage space which is not within or attached to the building containing the units served by the space must be architecturally integrated with the development.	Applicant intends to meet this requirement.

Article 14 Zoning District Regulations

Staff Note: The minimum lot size in the R3 zoning district is 20,000 square feet. The parcels combined is approximately 16,117 square feet.

Article 21 Stormwater Management

Staff Note: There is no proposed increase in impervious surface, therefore no stormwater detention would be required to be installed as proposed. There is no stormwater proposed by the applicant and no existing stormwater detention on site.

Article 24 Parking

Staff Note: Per UDO Subsection 24.03.01, unless no other practicable alternative is available, vehicle accommodation areas shall be designed so that vehicles may exit the areas without backing into a public street. The four parking spots in front of the building would not meet this requirement.

Article 31 Landscape Standards

Staff Note: The applicant notes that landscaping along the southeastern and southwestern boundary meets requirements. Upon review of the site, staff does not believe the existing vegetation in those buffers meets the requirement of this standard. Should this project be approved with deviations as requested, no plantings would be required unless a condition is placed on the approval by Town Council.

Comments from other Town Departments: In addition to the Planning review, the submitted plans were evaluated by other Town departments for compliance with applicable codes. Their comments are provided below.

Fire: The application has been reviewed with the following comments:

- A FDC or PIV for the sprinkler system will be required if approved.

Public Works

Services - The application has been reviewed with the following comments:

- Sidewalk will be required along Clement Street.

Utilities - The application has been reviewed with the following comments:

- Utility plan will have to be reviewed as part of the approved plan sets if approved.
- Backflow preventor will be required if approved.

Procedural Analysis

This request involves one procedural action for zoning. The process ensures that the actions are considered holistically in light of Boone Next. The process will continue as scheduled unless delayed.

Date	Step	Guidance
September 28, 2026	Zoning Public Hearing	• A public hearing before the Council and the Planning Commission is held on zoning. • The Planning Commission provides a required zoning recommendation.
October 28, 2026	Final Council Decisions	• Council votes on zoning consideration.

Conditional District

Pursuant to UDO Subsection 9.09.01 (A), the CD process is established to provide tailored regulations to address specific circumstances or development goals. This process permits the application of additional conditions to proposed developments to ensure compatibility with neighboring uses and alignment with adopted plans or other development goals of the town, while also allowing deviations from existing standards where such serves the town's development goals. By incorporating tailored standards, the CD process offers a degree of flexibility not always achievable through a general use zoning map amendment. Specific procedural steps are mandated and applications must include more detailed information than might otherwise be required.

Procedural Requirements (UDO Subsection 9.09.02)

Standard	Comments	Compliance
9.09.02(A) Pre-Application Meeting(s)	June 1, 2026	Yes
9.09.02(B) Neighborhood Meeting: June 29, 2026		
Notice	Mailed on June 2, 2026 and posted on Town website, Exhibit 6	Yes
Location	Town of Boone Council Chambers, 1500 Blowing Rock Road	Yes
Presentation Info	Exhibit 6	Yes
Minutes	Exhibit 6	Yes
Time Limitation	The application was submitted within 6 months of the neighborhood meeting.	Yes
9.09.02(C) Application Submittal		
Allowable Uses	Exhibit 1, Project Narrative - includes Deviations, Mitigations, and proposed Conditions	Yes
Deviations		
Mitigation		
Conditions		
Affidavit	Exhibit 1, Affidavit	Yes

Conformity to Adopted Plans

Boone Next: Our Town, Our Future

Community Vision	Land Use and Development Vision
We will be a prosperous, livable, people-oriented mountain community modeling resilient growth that promotes and protects our natural resources with diverse housing options and dynamic economic opportunities. We will celebrate and build upon our community's historic foundation to leave a sustainable and equitable town for future generations.	Grounded in its historic character, Boone will be a distinct pedestrian-oriented town that is affordable, livable, human-scale, and connected through a network of walkable, mixed-use corridors and activity centers.

Planning Principles: The Boone Next Planning Principles are intended, as a collective, to provide a core vision to guide planning, zoning, and development decisions. These principles should be carefully considered with respect to all zoning map amendments, ordinance text amendments, and other development decisions as well as other town planning and policy initiatives.

Planning Principle 1
Prioritize thoughtfully designed development of underutilized land within the town's existing built-upon areas over development of undeveloped land on the town's outer limits.

It is preferable to accommodate growth in locations within the existing town limits that are appropriate for, can support, and would be enhanced by, new development. Infill and redevelopment will occur in a strategic manner that considers community needs like provision of and access to goods, services, transit, and quality public space.

Planning Principle 2

Emphasize quality design to create an attractive, inspiring public and private realm— architecture, streetscape, corridors, gateways, and edges—that is uniquely Boone.

Public areas (streetscapes, sidewalks, parks, plazas, etc.) and private areas (building facades, landscaping, parking facilities, etc.) will be planned, arranged, and designed with quality materials to celebrate a sense of place and character by balancing function, appearance, and affordability, while fostering creativity, innovation, and human-scale design that is true to Boone.

Planning Principle 3

Encourage compact, human-scale development that integrates a vertical mix of uses (residential, commercial, office, institutional, civic, etc.) and connects with existing developed areas.

Places will be created with multiple uses in proximity to each other, perhaps on the same site and/or in the same structure. Close attention will be given to the compatibility of those uses and their surroundings. Uses will be arranged in a manner that maximizes pedestrian activity and create "communities within our community."

Planning Principle 5

Employ planning policies to accommodate growth while promoting an equitable town and protecting the most vulnerable residents and small businesses against economic displacement.

Planning and zoning policies and practices seek to limit the negative and undesired effects of gentrification and displacement. Current residents and small businesses that are in Boone today and want to remain here should be able to afford to stay while people who work in Boone should be able to afford to live within the town limits. Robust engagement and communication with residents and small businesses is key to promoting equitable planning in Boone.

Planning Principle 7

Support the town's established neighborhoods and new residential developments through neighborhood-level engagement and planning.

Neighborhoods may include a variety of land uses (residential, commercial, civic, and recreational areas), building types, and housing types. They may have an identifiable center that offers basic services such as cafés, childcare, specialty stores, and grocery options. Neighborhoods will support a variety of travel options and be well-connected to adjacent neighborhoods and parks. They will seamlessly integrate the members of diverse, multi-generational communities living in proximity to one another.

Planning Principle 10

Encourage appropriate development to meet the town's urgent need for housing or other specific community needs by means of density bonuses or other mechanisms.

Encourage construction of affordable housing, public infrastructure, or other identified community needs by means of density bonuses or other incentives in appropriate areas of the town. For example, increased building height or additional units may be allowed in exchange for incorporating affordable housing units in a development.

Growth Management Tiers Map: The Growth Management Tiers Map is a policy tool intended to help Boone manage the growth of its corporate limits. The map identifies areas inside and outside the corporate limits that are likely to face development pressures, and it identifies those areas that are most appropriate for the town to consider serving by means of annexation within the next 10 to 15 years. The

Growth Management Tiers Map is supplemented by and should be applied in concert with the Future Land Use Map, where applicable. The overall purposes of the map are to:

- Promote better interjurisdictional and long-range planning between and among the town, Watauga County, and utility providers.
- Encourage long-term fiscally and environmentally sustainable growth by carefully managing the extension of taxpayer-funded town services
- Encourage infill development
- Inform developers, landowners, farmers, and residents with respect to the town's priorities and approach to the growth of its corporate limits
- Provide policy guidance to town decision-makers regarding annexations, town service provision, fees and incentives, and locations for capital improvements

This property is located within the **Priority Growth Area**.

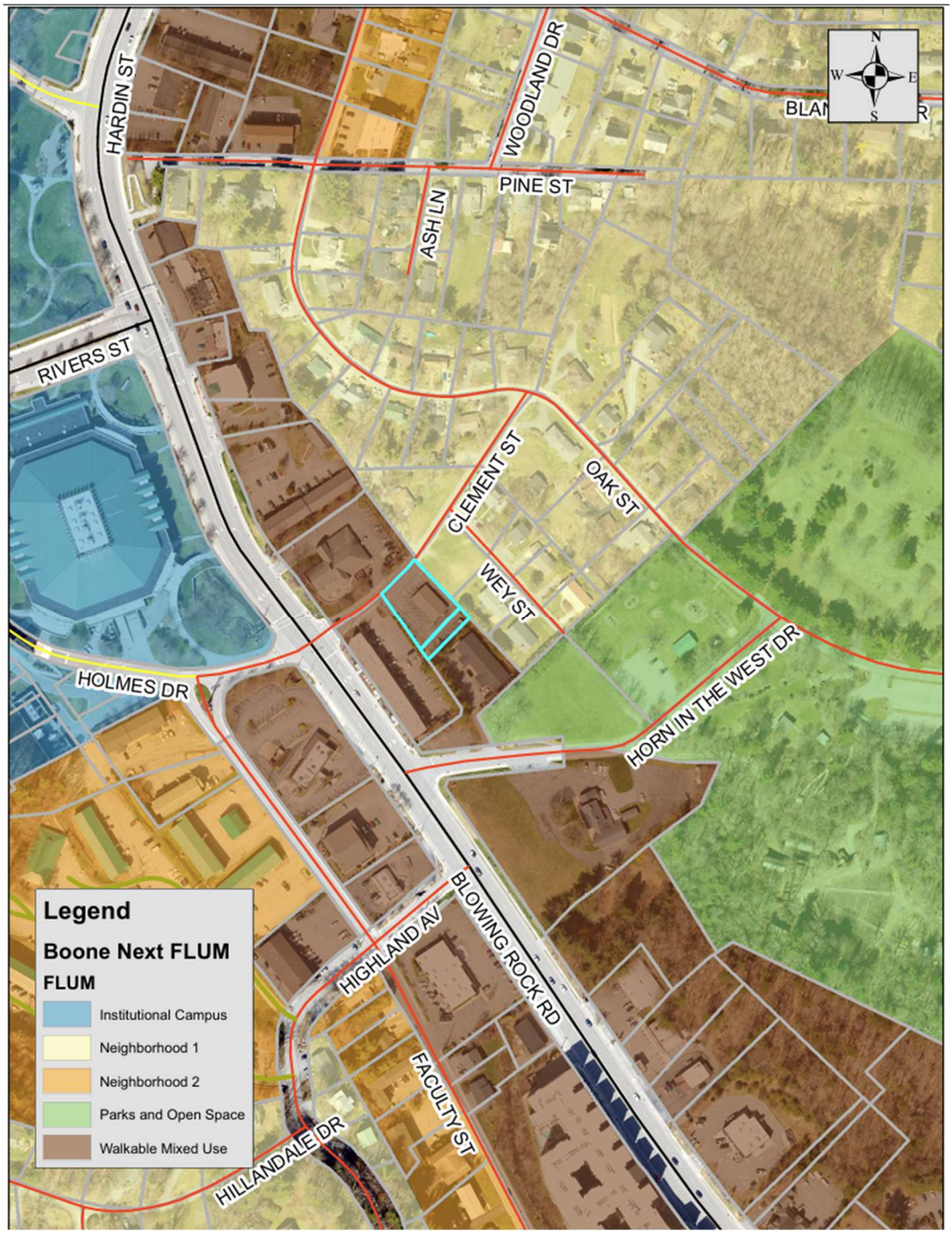
Priority Growth Area is land where growth is most encouraged; designated as Downtown, Downtown Edge, and Walkable Mixed Use on the Future Land Use Map.

Future Land Use Map

The Future Land Use Map is a critical tool intended to give shape to and help implement Boone's vision for the next 15-20 years. The map and associated land use types provide a framework for development and other land use-related decisions, including decisions on public infrastructure and transportation.

In legislative decision-making cases, Council and the Planning Commission will review Boone Next and the Future Land Use Map to ensure that the request:

- is consistent with the goals and policies set forth in this plan; and
- is consistent with the land use type as shown on the Future Land Use Map;
- and if not ensure that the requested change of zoning will not negatively impact the intent of the mapped land use type; and
- is supported by existing or planned infrastructure.



The property included in the request is mapped in the Walkable Mixed Use land use type. Please see below for more details on this land use type.

Description	Objectives	Primary Uses
Walkable Mixed-Use areas are envisioned as places that should evolve from existing auto-oriented patterns into green, walkable, mixed-use corridors and destinations.	- Eliminate curb cuts on arterials through rear access parking and new	- Vertical mixed-use with ground floor commercial and upper story residential and/or appropriate

New street and alley grids may be established, fostering a more urban environment while maintaining a commitment to well-designed, green, and visually-engaging building patterns. Buildings in these areas are oriented toward the street and generally up to four stories in height; in some cases, on appropriately sized and located lots, they may reach up to six stories. Parking and drive aisles in the front are minimized and the majority of parking placed to the sides and rear. Ground floors should feature ample transparent windows and doors. Ground floors should create an inviting atmosphere for pedestrians by, for example, incorporating features like generous transparent windows and inviting entryways. Where appropriate, wider sidewalks and street trees enhance the pedestrian experience and promote a sense of place. The overall vision behind the Walkable Mixed-Use Land Use Type is to foster vibrant, self-sufficient communities where everything is just a short stroll away – a true realization of the "15-minute city" or "city within a city" concept. Here, residents enjoy access to local businesses, services, and amenities that cater to their daily lives, while commercial spaces thrive on the support of a connected residential environment.	alley construction and dedication - Evaluate opportunities for neighborhood scale-businesses that enhance neighborhoods with accessible resources such as cafes, small grocers/bodegas, and childcare facilities - Mixed-use buildings provide a variation in layout and size for ground floor non-residential uses - Encourage and facilitate public spaces like plazas, playgrounds, and other public amenities	commercial uses; or a mix of single-use commercial and/or residential buildings within a single development - Multi-family - Limited light industrial/manufacturing uses with minimal external impacts

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.

Policy 1.1.1 Use the Future Land Use Map

Use the Future Land Use Map to guide development, growth, and conservation decisions. Additionally, use the Focus Area Plans for more detailed policy direction within each of those areas.

Policy 1.1.2: Use Best Design Practices in New Development

All new growth should move Boone toward creating a network of "communities within a community" - a polycentric pattern of walkable, human-scale activity centers located within short distances of residents across the town. This pattern is key to supporting sustainability by aiming to reduce vehicle trips and their associated emissions, improving human health by supporting active utilitarian modes of transportation, and guiding growth away from natural areas. Where feasible, new growth should establish short blocks and connected rights-of-way, prominent civic spaces, stream daylighting and protected natural resources, front-facing buildings with transparent and welcoming first floors and public spaces, a diversity of housing types, income-restricted housing units, neighborhood-serving and context-sensitive nonresidential uses, rear parking and alleys, front porches (residential), and safe multimodal transportation infrastructure design.

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.

Policy 1.2.2 Infill Development Enhances the Town

Infill development is important because it directs growth away from natural areas, but it must be done well. Infill development shall enhance and not detract from the building character of the town by replicating key elements of Boone's cherished historic design features (like building scale, proportion, setbacks, character) with high quality, pedestrian-oriented design and providing public goods like plazas, wide sidewalks, public art, and affordable spaces for living, artists, and small businesses. Rules for new development should avoid financially incentivizing displacement of vulnerable populations.

Policy 1.2.3 Coordinate Land Use and Transportation Planning

Ensure transportation infrastructure supports walkable development and multimodal transportation options — including connections to activity centers. Important considerations include the width and design of sidewalks, street trees, physically protected bike lanes, tight curb radii at intersections, traffic calming devices, appropriate lane widths that create safer design speeds, and other features that enhance the safety and comfort of all travelers.

Policy 1.2.5: Use Appropriate Transitions Between Different Scales and Intensities

Use appropriate transitions between different building uses and intensities by stepping down building heights and scale from areas allowing taller buildings to primarily residential neighborhoods.

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.

Policy 1.3.4: Encourage Reuse and Rehabilitation

Support and encourage adaptive reuse and rehabilitation of existing homes and buildings. Where appropriate, minimum building code standards should be applied in a manner compatible with historic preservation efforts.

Goal 1.5 INTENTIONAL GROWTH MANAGEMENT

Boone will manage growth thoughtfully and intentionally within its borders and at its edges to enhance the town's livability and meet the needs of a growing community.

Policy 1.5.1: Manage Growth to Balance Protection of Community Character and Natural Areas While Directing Desired Growth to Identified Centers

The town will manage growth in a manner that balances the protection of community character and natural lands while accommodating future population. Change in the community will be carefully managed to protect critical natural lands, provide a variety of housing options for a diversity of households, support economic development, support fiscal balance, ensure adequate public safety services, and utilize growth patterns that support regional and local transit services. Lands within the town's current corporate limits are priorities for infill and redevelopment. New development areas contiguous with the town and in identified activity centers should be secondary priorities for development and ahead of areas outside centers.

Policy 1.5.3: Guide Growth Using the Growth Management Tiers Map

The Growth Management Tiers Map serves as a guide for development and investment decisions. The map's purpose is to ensure Boone accommodates growth consistent with the Boone Next Planning Principles, intentionally directs growth to desired areas, manages the pace of development, and aims for fiscal balance. This map is intended to be used when considering zoning and development approvals, utility service extensions, annexations, incentives, and capital investments. This map should be used in coordination with the Utility Service and Annexation Criteria. The Growth Management Tiers Map will be updated from time to time to reflect changing planning conditions.

Goal 1.6 AN AFFORDABLE TOWN TO LIVE IN

Boone will facilitate sustainable affordable housing for low- to middle-income residents.

Policy 1.6.1: Support Income-Restricted Housing

Support permanently affordable housing for low- and middle-income residents geographically located throughout the town. Prioritize permanent affordability, particularly for those at or below 60 percent of the area median income, through community land trusts, nonprofit ownership and management, the Housing Authority, town ownership, and restricted deeds and covenants. Consider programs that fund home improvements for low income homeowners in exchange for right of first refusal to purchase homes for affordable housing partners.

Policy 1.6.2: Use Innovative Tools to Expand Affordable Housing

Using incentives like density bonuses, regulations, and other strategies, strive to achieve a minimum of 5-10 percent income-restricted units in new multi-unit residential construction projects.

Policy 1.6.4: Make Daily Needs More Accessible Across Boone

Consider both the cost of housing and the cost of transportation as the town develops, recognizing that transportation costs rise as distances to daily needs like grocery stores, daycare, work, and school increase. Focus on distribution of uses and services using walkable urban design principles

that make daily needs more accessible to all ages and abilities. Measure and track progress toward increasing the proportion of residents living within a comfortable 5-10 minute walk, bike, or transit ride to daycare facilities; grocery stores; parks, greenways, or playgrounds; and employment destinations.

Goal 4.4 LONG-TERM FISCAL BALANCE

Long-term fiscal balance will be achieved through land use and growth decisions that are informed by long-term fiscal impacts of development.

Policy 4.4.1: Promote Use of Existing Resources

Promote infill, redevelopment, and adaptive use as a way to maximize use of existing services, infrastructure, and utilities.

Policy 4.4.2: Proactively Manage Growth and Development

Anticipate and guide future growth and development using the planning principles, frameworks, and maps in this Comprehensive Plan to ensure that new development can be supported by town infrastructure and services while protecting open space.

Policy 4.4.3: Promote Smart Growth

Ensure new growth and development is fiscally balanced in the long run while directing more growth to areas with existing services and infrastructure. Some types of developments and land uses are necessary to the social needs of the town and do not necessarily directly improve the town's fiscal balance, such as recreation and cultural facilities or affordable housing. Encourage compact development that can be more efficiently served, especially as indicated on the Future Land Use Map.

Policy 4.4.4: Consider Community Priorities and Long-Term Impacts

Consider community priorities and long-term impacts in decision-making, with the understanding that some community priorities may not have positive fiscal impacts and some decisions may not provide short-term benefits.

Conditions of Approval

1. Where there is a conflict between the original application information and the plans (received on June 10, 2026), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO. For application elements not depicted on the plans but included in the written materials provided by the applicant and considered at the public hearing held on July 27, 2026, those details shall be considered part of the approved plan except as may be specifically provided otherwise in these conditions or was represented otherwise by the applicant at the public hearing.
2. Any commitments and representations concerning the proposed development made by the applicant 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 meeting 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. Any other condition agreed upon…

Planning Board Report/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 current 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 plan is or is not consistent.*

Vote 2: The Planning Commission recommends ☐**approval** OR ☐**denial** of Ordinance #A26-0521 within Staff Report Exhibit A and ☐**approval** OR ☐**denial** is reasonable and in the public interest because:

Note 2

_____

_____

_____

***Note 2**: briefly explain why, factors may include the benefits and detriments to the landowners, the neighbors, and the surrounding community; why the action taken is in the public interest; and any changed conditions warranting the amendment.*

Town Council Action Required – September 28, 2026

No Council action is anticipated at this meeting. Final consideration would occur at a future Town Council meeting (anticipated to be October 28, 2026) upon receipt of the Planning Commission's recommendations.

Staff Report Exhibit A: Ordinance #A26-0521

ORDINANCE # A26-0521

AN ORDINANCE TO REZONE PROPERTY WITHIN THE TOWN OF BOONE

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 zone the property below as presented:

Address: 138 Clement Street

Watauga County PINs: 2910-15-2928-000 & 2910-15-2953-000

Property Owner: Elvin M. Hundley

Zoning: Conditional District R3 Multiple-Family Residential District with a site-specific development plan for Use 1.11 Multi-Family Dwelling (up to 30 bedrooms). The request is for a 12-unit, 18-bedroom multi-family dwelling. The property is outlined in blue on the map above.

WHEREAS, the Boone Town Council held a duly-noticed public hearing on July 27, 2026 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 day October 28, 2026.

The Honorable Dalton George, Mayor

Attest:

Nicole Harmon-Church, Town Clerk

Clement St Adaptive Reuse Project - Apartment Building
138 Clement St.
Watauga County PIN:
2910-15-2928-000, 2910-15-2953-000

Project Narrative

The property at 138 Clement St. is currently zoned B3 General Business. We are requesting a Conditional District (CD) Zoning Map Amendment to R3 Multifamily Residential (Use 1.11 Multi-Family Dwelling (up to 30 bedrooms)) to facilitate the adaptive reuse and vertical expansion of the existing building to provide twelve residential apartments. The proposal will convert the existing interior into four apartments and add two additional floors, each containing four apartments.

A key benefit of the project is the adaptive reuse of an existing structure rather than the demolition and complete redevelopment of the site, thus creating additional housing while minimizing site disturbance and construction impacts.

By making productive use of an existing developed property and its supporting infrastructure, the proposal represents a practical and efficient form of infill development. Overall, the project will increase housing opportunities while preserving and improving an existing structure and minimizing the physical impact of redevelopment on the site. Site plans and additional supporting materials are included with the application.

Pre-Application Meeting

Pursuant to UDO Subsection 9.09.02(A), the required pre-application meeting was held on June 1, 2026 with Brooke Butler, Rhett Butler, and Brandon Wise, Deputy Director of Planning and Inspections.

Neighborhood Meeting

Please see below for information on the neighborhood meeting required pursuant to UDO Subsection 9.09.02(B).

Meeting Information:	
Date & Time:	Monday, June 29, 2026 at 5:30pm
Location:	Council Chambers, 1500 Blowing Rock Road
Mailed Notice:	
Date Mailed:	June 2, 2026
Notice Info:	Notice and Address List attached
Meeting Details:	
Applicant:	Clement Street Apartments, LLC

Representatives: Brooke Butler & Rhett Butler

Minutes: Attached below.

Proposed Uses

Use 1.11 Multi-Family Dwelling (up to 30 bedrooms)

Requested Deviations

1. **UDO Subsection 15.03.03(B) Carport/Garages**

We are requesting a deviation from this standard. While no carports or garages are proposed, the development will provide at least one off-street parking space per bedroom, along with additional spaces for visitors.

This approach provides suitable parking to meet resident and guest demand without relying on on-street parking or impacting adjacent properties. The deviation is limited to type of parking and does not reduce overall parking supply. It also allows the site to be utilized more efficiently while maintaining safe and adequate vehicular access and circulation.

Given the proposed parking capacity and site-specific conditions, we believe the deviation is reasonable and will not result in adverse parking or neighborhood impacts.

2. **UDO Subsection 15.03.05(A) Common Area Access Bathrooms**

We are requesting a deviation from this standard in four of the six planned two-bedroom apartments. The two ground floor two-bedroom/one-bathroom apartments will fully comply with the standard. The requested deviation applies only to the four upper floor two-bedroom/two-bathroom apartments, which do not provide common access to a bathroom. The deviation would allow for a more efficient and functional layout of the upper-floor units. By eliminating the requirement for a bathroom to have common access from the living area, the available floor area can be allocated more effectively to the primary living spaces. This allows the units to provide larger and more functional bedrooms, increased closet/storage space, and generously sized bathrooms resulting in a higher-quality and more livable residential layout.

The proposed configuration also allows for two bathrooms in each of the upper floor two-bedroom units, with the bathrooms serving the bedrooms directly. This arrangement enhances privacy and convenience for residents while providing adequate bathroom capacity for occupants and guests.

We recognize that the intent of the standard is to provide convenient bathroom access from common areas and to avoid requiring guests to enter a private bedroom to use a bathroom. However, in this case, strict application of the standard would require additional circulation and/or reallocation of floor area that would reduce the size and functionality of

the bedrooms, closets, and bathrooms. The requested deviation allows the available area to be used more efficiently within the confines of an adaptive reuse project while still providing two bathrooms per unit and maintaining a high level of functionality and privacy.

The deviation is also limited in scope; four of the six planned two-bedroom apartments are affected, while the two ground-floor units will remain fully compliant with the standard. We believe this represents a reasonable balance between the intent of the standard and the need to provide well-proportioned and desirable residential units.

3. UDO Subsection 15.03.05(B) Primary Suite Square Footage

We are requesting a deviation from this standard to allow for a more balanced and functional two-bedroom apartment layout. Rather than creating a significantly larger primary bedroom, we propose two similarly sized bedrooms—approximately 108 square feet on the ground floor and 125–130 square feet on the upper floors.

This configuration is intended to provide greater flexibility and functionality for residents while making more equitable and efficient use of the available floor area. We recognize that the standard may be intended to establish a clear distinction between the primary and secondary bedrooms; however, in this case, the relatively similar bedroom sizes allow for a more balanced apartment layout without compromising the overall livability or functionality of the unit. The proposed configuration also allows us to maximize the functionality of the remaining living spaces within the constraints of the adaptive reuse project. Where possible, we intend to honor the spirit of the standard by differentiating the primary bedroom in the four upper-floor two-bedroom units through the inclusion of a dedicated walk-in closet. This provides additional storage and functionality for the primary bedroom while preserving the size and usability of the secondary bedroom.

We intend this approach to meet the intent of the standard while providing a well-balanced and livable two-bedroom apartment.

4. UDO Subsection 15.03.03(C) Livability Ratio

We are requesting a deviation from this standard and flexibility around a proposed adaptive reuse project. To increase livability space where possible, we will be adding balconies to the front of each 2nd and 3rd story apartment as well as a covered entryway to first floor apartments.

While the project will provide less greenspace than the standard requires, we are seeking to use the available site area in a manner that provides meaningful benefits to residents. Where feasible, we will increase livability space through the addition of balconies to the front of each second- and third-story apartment, as well as covered entryways for the first-floor apartments. These features will provide residents with additional usable outdoor and semi-outdoor space, opportunities for fresh air and natural light, and improved functionality and comfort within the existing building footprint.

5. **UDO Subsection 31.05.01(D) Buffer Vegetation**

We are requesting a deviation from the required buffer vegetation standard along approximately 75% of the northeastern property boundary due to limited space created by the existing driveway configuration. This request is based on existing site constraints that make full compliance impractical without adversely affecting safe and functional access to the property.

The standard for buffer vegetation is met along the southeastern and southwestern boundaries, as well as approximately 25% of the northeastern boundary. There is insufficient space to install the required buffer vegetation along the remaining northeastern boundary without obstructing or restricting the driveway exit, which could impact safe and functional access to the property. The requested deviation is limited to the area where full compliance is not feasible due to these existing site constraints, while the required buffering is maintained wherever adequate space is available. We have planned for the retention of all trees and buffer vegetation currently in place and for the clean-up and landscaping of the far East corner of the property.

6. **UDO Subsection 31.05.02 Street Yards**

We are requesting a deviation from the standard, pursuant to UDO Subsection 31.05.02(G), due to the unique site constraints created by the location of the entry and exit driveways and the associated sight triangle requirements. Given the configuration of the site, there is not sufficient space to provide the required tree plantings outside of the sight triangle while also maintaining safe and functional access to the property. Additionally, the existing frontage consists of impervious surfaces to the property line.

Mitigation

The proposed rezoning from B3 (General Business) to R3 (Residential) is intended to facilitate the adaptive reuse of an existing structure for residential purposes. The proposed use is expected to be substantially more compatible with the surrounding residential character of the area than many of the commercial uses currently permitted under the B3 zoning designation.

Traffic and Noise: The proposed residential use is anticipated to generate less traffic, noise, and overall activity than a number of uses permitted under the existing B3 zoning. It is also expected to have a lower impact than the last known commercial use on the property, which was a pool hall. Residential occupancy typically generates more consistent and less intensive activity than a commercial entertainment use, particularly with regard to evening traffic, customer turnover, deliveries, and amplified or congregational noise. As a result, the rezoning is not expected to create a greater traffic or noise burden on surrounding properties and may provide an overall reduction in these impacts.

Lighting: Any exterior lighting associated with the residential use, including lighting for the parking area and building entrances, can be designed and installed to minimize impacts on adjacent properties. Fixtures can be directional, shielded, and positioned to illuminate only necessary areas while avoiding unnecessary glare or light trespass onto neighboring residences.

Adaptive Reuse and Environmental Impact: A primary objective of the proposal is to achieve the project through adaptive reuse of the existing structure rather than new construction. Reusing the existing building allows the property to be returned to productive residential use while minimizing the environmental impacts associated with demolition, construction waste, new building materials, and the development of previously undeveloped land. This approach preserves existing resources and infrastructure and supports a more sustainable form of development.

Neighborhood Compatibility: The proposed R3 zoning is intended to support a residential use that is more consistent with the surrounding neighborhood than the property's current commercial zoning designation. Rather than introducing a more intensive commercial activity, the proposal would transition the property to a residential use while retaining and improving an existing structure. The project can therefore provide a reasonable and compatible use of the property while reducing potential impacts associated with commercial activity.

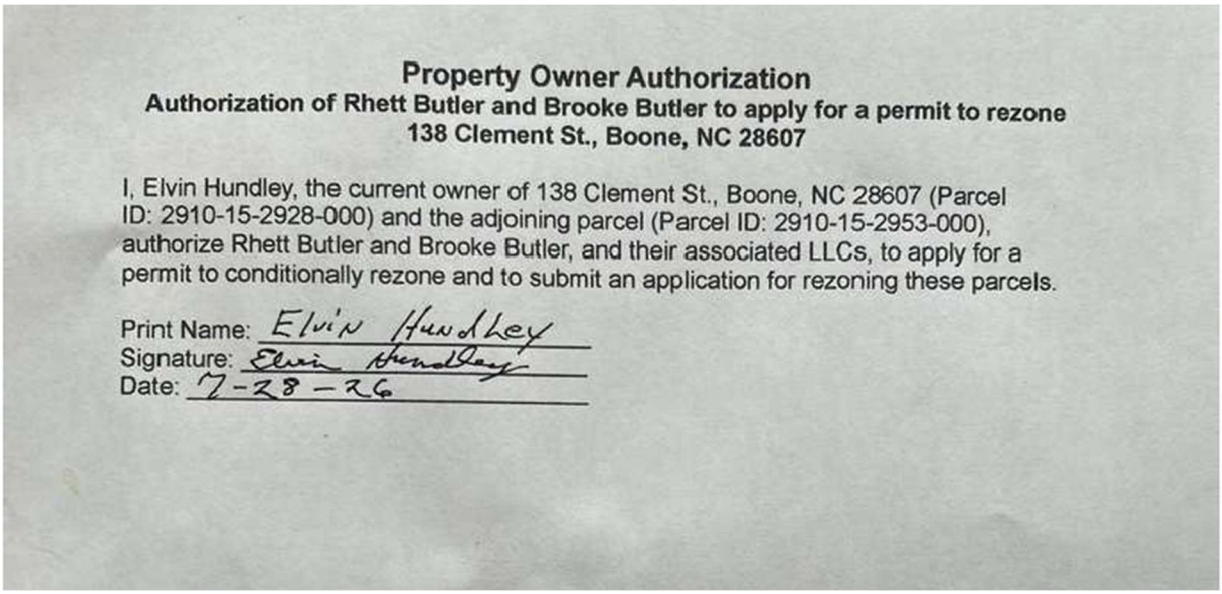
Overall, the requested rezoning represents a reduction in potential intensity of use, promotes the adaptive reuse of an existing structure, and provides an opportunity to return the property to a productive residential use with comparatively limited impacts on surrounding properties. The proposal is intended to be a responsible, sustainable, and neighborhood-compatible redevelopment of an already developed site.

Conditions

No voluntary conditions are being proposed with this application.

Current Property Owner Authorization

Authorization from current owner, Elvin Hundley, for Rhett Butler & Brooke Butler to apply for rezoning of 138 Clement St.



Property Owner Authorization

Authorization of Rhett Butler and Brooke Butler to apply for a permit to rezone 138 Clement St., Boone, NC 28607

I, Elvin Hundley, the current owner of 138 Clement St., Boone, NC 28607 (Parcel ID: 2910-15-2928-000) and the adjoining parcel (Parcel ID: 2910-15-2953-000), authorize Rhett Butler and Brooke Butler, and their associated LLCs, to apply for a permit to conditionally rezone and to submit an application for rezoning these parcels.

Print Name: Elvin Hundley
Signature: Elvin Hundley
Date: 7-28-26

Affidavit

See next page.

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA
AFFIDAVIT OF ACCEPTANCE OF CONDITIONS
CONDITIONAL DISTRICT ZONING MAP AMENDMENT #A26-0521

The Affiants, having been first duly sworn now depose and say:

1. My name is Rhett Butler. I am over eighteen years of age. I am competent to make this Affidavit and I have personal knowledge of the facts stated herein, and such facts are true and correct.

2. I am duly authorized to execute and deliver this affidavit and otherwise act on behalf of the Clement St. LLC in connection with its above-referenced rezoning application (the Application") to the Town of Boone (the "Town") for the property located on 138 Clement St., Boone, Watauga County PIN: 2910-15-2928-000 and 2910-15-2953-000 (the Property").

3. This affidavit is submitted pursuant to Town of Boone Unified Development Ordinance Subsection 9.09.02(C), for the purpose of the Applicant acknowledging the following:

    a. All zoning conditions are voluntarily proposed based solely on the applicant's independent judgment; and

    b. The applicant is not relying on any statements from Town staff, Council, or Planning Commission members regarding zoning conditions; and

    c. Other interested parties in the rezoning process may rely on the validity of the proposed development proposal including any agreed upon conditions; and

    d. All future property owners will be bound by the proposed development approval, including any agreed upon conditions and any commitments or representations made by the applicant.

Further Affiant sayeth not, this the 11th day of August, 2026.

Rhett Butler

STATE OF NORTH CAROLINA
MECKLENBURG COUNTY

I certify that Rhett Butler personally came before me this day and acknowledged that s/he is representative of Clement St. LLC, and that by authority duly given and as the act of such entity, s/he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal this 11th day of August, 2026.

Emily Evans
Notary Public

(Official Stamp or Seal)



Emily Evans
Printed Name of Notary Public

My Commission Expires: April 6, 2030

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA
AFFIDAVIT OF ACCEPTANCE OF CONDITIONS
CONDITIONAL DISTRICT ZONING MAP AMENDMENT #A26-0521

The Affiants, having been first duly sworn now depose and say:

1. My name is Brooke Butler. I am over eighteen years of age. I am competent to make this Affidavit and I have personal knowledge of the facts stated herein, and such facts are true and correct.

2. I am duly authorized to execute and deliver this affidavit and otherwise act on behalf of the Clement St. LLC in connection with its above-referenced rezoning application (the Application") to the Town of Boone (the "Town") for the property located on 138 Clement St., Boone, Watauga County PIN: 2910-15-2928-000 and 2910-15-2953-000 (the Property").

3. This affidavit is submitted pursuant to Town of Boone Unified Development Ordinance Subsection 9.09.02(C), for the purpose of the Applicant acknowledging the following:

    a. All zoning conditions are voluntarily proposed based solely on the applicant's independent judgment; and

    b. The applicant is not relying on any statements from Town staff, Council, or Planning Commission members regarding zoning conditions; and

    c. Other interested parties in the rezoning process may rely on the validity of the proposed development proposal including any agreed upon conditions; and

    d. All future property owners will be bound by the proposed development approval, including any agreed upon conditions and any commitments or representations made by the applicant.

Further Affiant sayeth not, this the 11th day of August, 2026.

Brooke Butler

STATE OF NORTH CAROLINA
~~WATAUGA~~ Mecklenburg COUNTY

I certify that Brooke Butler personally came before me this day and acknowledged that s/he is representative of Clement St. LLC, and that by authority duly given and as the act of such entity, s/he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal this 11th day of August, 2026.

Notary Public

(Official Stamp or Seal)



Ashley L. McCloud
Printed Name of Notary Public

My Commission Expires: 09/23/2029

138 Clement St. Rezoning - Neighborhood Meeting

Date: 6/29/2026
Location: Council Chambers, 1500 Blowing Rock Rd.
Hosted by: Brooke Butler & Rhett Butler

Attendees:
Joni Horine
Anne Wilson
Rachel Muller
Richard Muller
Lam Khan Kual
Tih Tih Kual
Bonnie Berkowicz
Michael Berkowicz
Brad Bodin
Allison Bodin
Kathie Senft
Karen Yates

Questions Asked:
- How many planned units and bedrooms?
- How tall will it be?
- Could we build what we want now without rezoning?
- Will there be a lot of light pollution?
- Will it cause traffic?
- Will we manage it?
- Do we already own the land?
- What is the planning schedule/ is it a done deal?

Promises:
- Building will not be 4 stories (max. 3).

Major Concerns:
- The majority of the meeting was spent discussing several houses in the neighborhood on Oak St. that seem to exceed the occupancy limits, have large parties, and cause neighborhood disturbances.





381 Meadowview Drive

Conditional Rezoning Application – Supporting Materials

Contact: Brooke Butler
brookebutler@kingstreetrentals.com

138 Clement St.

Conditional Rezoning Application – Supporting Materials







Table of Contents

Project Overview	3
Requested Deviations	4
Site Map	5
Long & Short-Term Bike Rack	6
Current Owner Authorization	7

138 Clement St. Project Overview

138 Clement St. is currently zoned B3 General Business. We are applying for conditional rezoning of the property to R3 Multifamily Residential to convert the interior of the building into 4 apartments with an additional 2 floors of 4 apartments each added to the existing structure. The exterior of the building will not be modified except for the addition of 2 external staircases and as required to comply with R3 standards.



Clement St. Apartments

The building will meet Multi-Family standards:

- ✓ A mix of unit configurations and sizes.
- ✓ No one type of dwelling unit, as defined by the number of bedrooms, comprises more than 50% of the total units.
- ✓ Building will be managed by Phyllis Butler as a local owner or local property management.
- ✓ Recreation Space requirement of 5% of parcel is exceeded.
- ✓ All 12 apartments meet the bedroom to bathroom ratio requirements.

1st floor:

- Two Studios
- One 2Bed1Bath
- One 2Bed2Bath

2nd & 3rd floors:

- Two Studios
- Two 2Bed2Bath

Each unit meets all R3 Multi-Family requirements:

- ✓ Front entrance of all first-floor apartments are accessible on the ground floor. Additionally, they are built to ADA accessibility standards.
- ✓ Each unit has dedicated storage space of at least fifty square feet.

138 Clement St. Requested Deviations

Requested Deviations

- **Carports/Garages** Request for 0 carports or garages.
- **Larger Primary Suite** Request for Primary Suite to be less than 25% larger than secondary bedroom. Plans allocate for size of bedrooms in 2-bedroom floorplans within ~5 sqft of each other.
- **Primary Suite Square Footage** Request for the Primary Suite to be less than 144 sqft in 2bedroom floorplans (130 sqft on 2nd/3rd floor; 105 sqft on 1st floor).
- **Common Access Bathrooms** Request for no common area access to bathroom in four 2bedroom/2bathroom apartements. This will maximize bathroom square footage, providing all unit residents an ensuite bathroom of 5.5'x10' (56 sqft), non-inclusive of shower/tub.
- **Livability Ratio** Request not to alter existing hardscape/landscape of property, resulting in less than .50 livability ratio and no individual yards. Estimated livability ratio is .15 including existing greenspace, proposed balconies for second/third floor apartments, and future landscaped areas. Requirement of 5% of parcel as Recreation Space is met & exceeded.



138 Clement St. Site Map

Parking Lot:
- Current parking lot meets minimum R3 requirement of 0.7 spaces per bedroom, i.e. 13 spaces for 18 bedrooms, plus additional spaces for visitors.
- Parking lot is striped correctly to meet size requirements with approximately 20-24 spots. No asphalt will be added or removed.

Existing Landscape:
- No planned disturbance to existing landscape or mature trees.

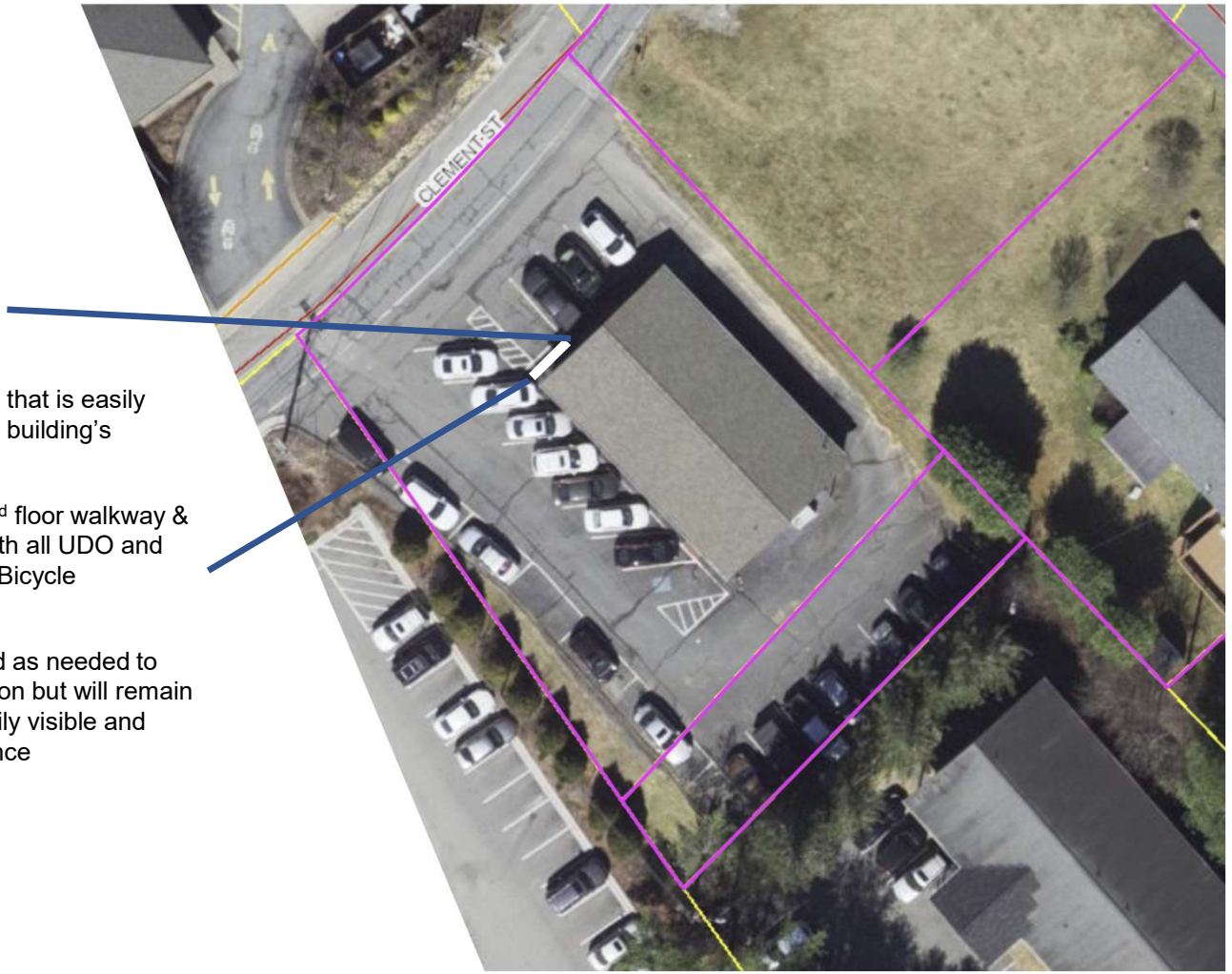
Covered Car Port:
- Deviation requested; no carport or garage.



Long and Short-Term Bike Rack

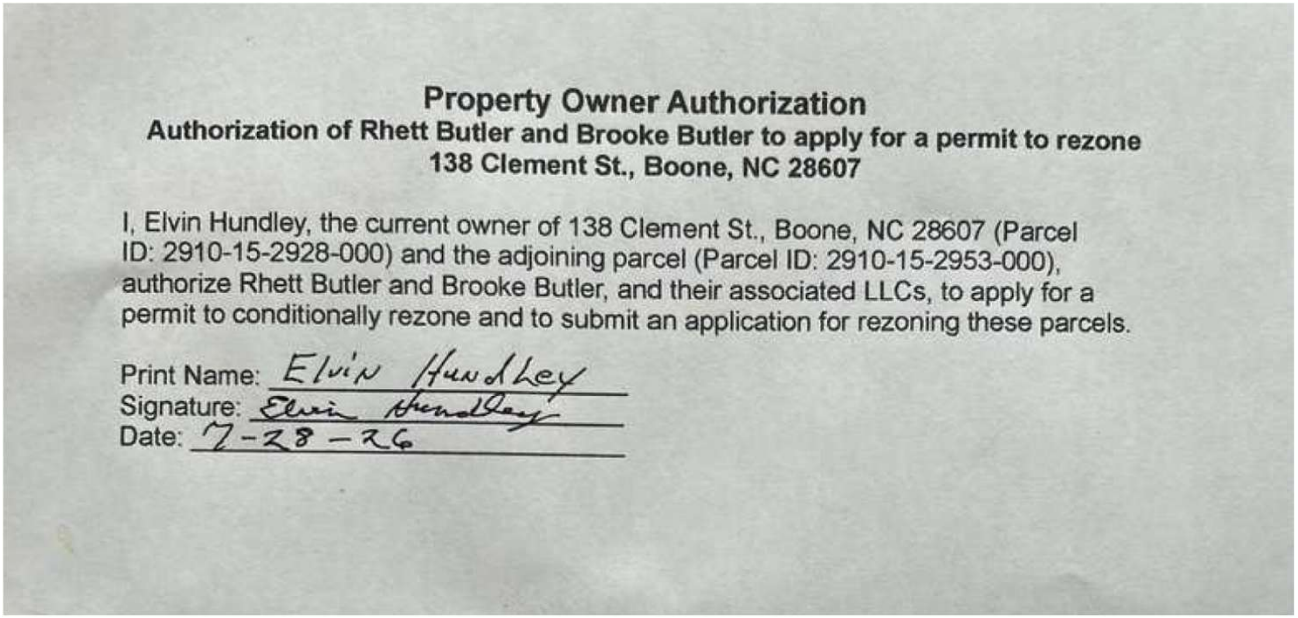


- ✓ Covered bike rack (Inverted U) that is easily visible and located close to the building's entrance
- ✓ Bike rack will be covered by 2nd floor walkway & roof overhang and complies with all UDO and Association of Pedestrian and Bicycle Professionals requirements
- ✓ Exact location may be adjusted as needed to account for land slope / elevation but will remain close to building entrance, easily visible and covered as required by ordinance



Current Property Owner Authorization

Authorization from current owner Elvin Hundley, for Rhett Butler & Brooke Butler to apply for rezoning of 138 Clement St.



Property Owner Authorization

Authorization of Rhett Butler and Brooke Butler to apply for a permit to rezone 138 Clement St., Boone, NC 28607

I, Elvin Hundley, the current owner of 138 Clement St., Boone, NC 28607 (Parcel ID: 2910-15-2928-000) and the adjoining parcel (Parcel ID: 2910-15-2953-000), authorize Rhett Butler and Brooke Butler, and their associated LLCs, to apply for a permit to conditionally rezone and to submit an application for rezoning these parcels.

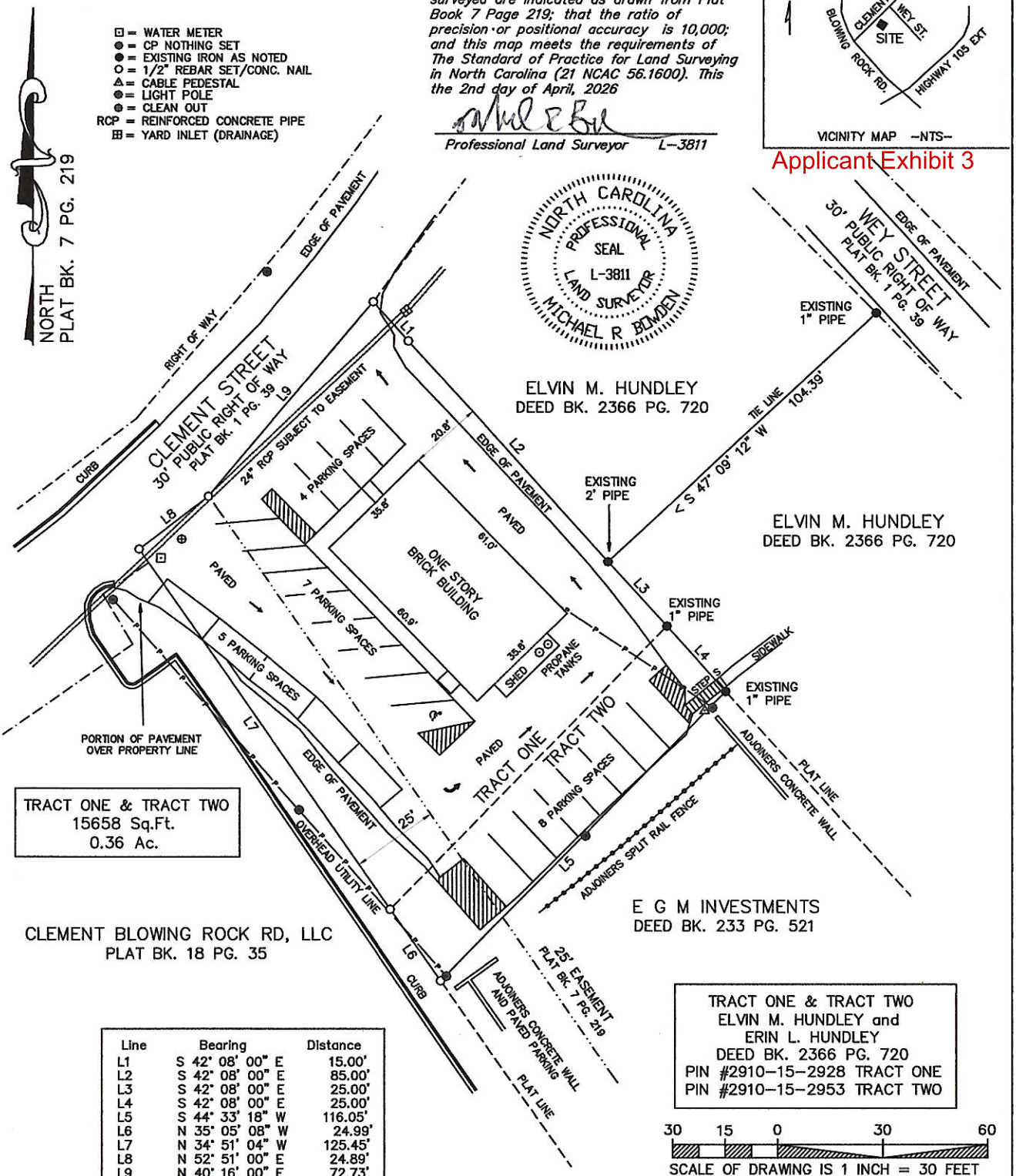
Print Name: Elvin Hundley
Signature: Elvin Hundley
Date: 7-28-26

H. ROSS PROPERTY
PLAT BK. 7 PG. 219

I certify that this map was drawn under my supervision from an actual survey made under my supervision recorded in Plat Book 7 Page 219; that the boundaries not surveyed are indicated as drawn from Plat Book 7 Page 219; that the ratio of precision or positional accuracy is 10,000; and this map meets the requirements of The Standard of Practice for Land Surveying in North Carolina (21 NCAC 56.1600). This the 2nd day of April, 2026

Professional Land Surveyor L-3811

⊡ = WATER METER
● = CP NOTHING SET
● = EXISTING IRON AS NOTED
○ = 1/2" REBAR SET/CONC. NAIL
△ = CABLE PEDESTAL
● = LIGHT POLE
● = CLEAN OUT
RCP = REINFORCED CONCRETE PIPE
⊞ = YARD INLET (DRAINAGE)



NORTH CAROLINA PROFESSIONAL SEAL L-3811 LAND SURVEYOR MICHAEL R BOWDEN

VICINITY MAP –NTS–

Applicant Exhibit 3

TRACT ONE & TRACT TWO
15658 Sq.Ft.
0.36 Ac.

Line	Bearing	Distance
L1	S 42° 08' 00" E	15.00'
L2	S 42° 08' 00" E	85.00'
L3	S 42° 08' 00" E	25.00'
L4	S 42° 08' 00" E	25.00'
L5	S 44° 33' 18" W	116.05'
L6	N 35° 05' 08" W	24.99'
L7	N 34° 51' 04" W	125.45'
L8	N 52° 51' 00" E	24.89'
L9	N 40° 16' 00" E	72.73'

TRACT ONE & TRACT TWO
ELVIN M. HUNDLEY and
ERIN L. HUNDLEY
DEED BK. 2366 PG. 720
PIN #2910-15-2928 TRACT ONE
PIN #2910-15-2953 TRACT TWO

30 15 0 30 60
SCALE OF DRAWING IS 1 INCH = 30 FEET

NOTES:

1. AREAS DETERMINED BY COORDINATE COMPUTATIONS.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
3. THIS MAP IS OF A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND.
4. SURVEY IS BASED ON PHYSCIAL EVIDENCE AND EXISTING MONUMENTS FOUND DURING THE SURVEY

REFERENCES: DEEDS AND MAPS ARE SHOWN HEREON.

SURVEY FOR:

CLEMENT STREET APARTMENTS, LLC

138 CLEMENT STREET
TOWN OF BOONE
WATAUGA CO., N.C.

Project # 260073-1 Date: 21 MARCH, 2026
FIRM # F-0902

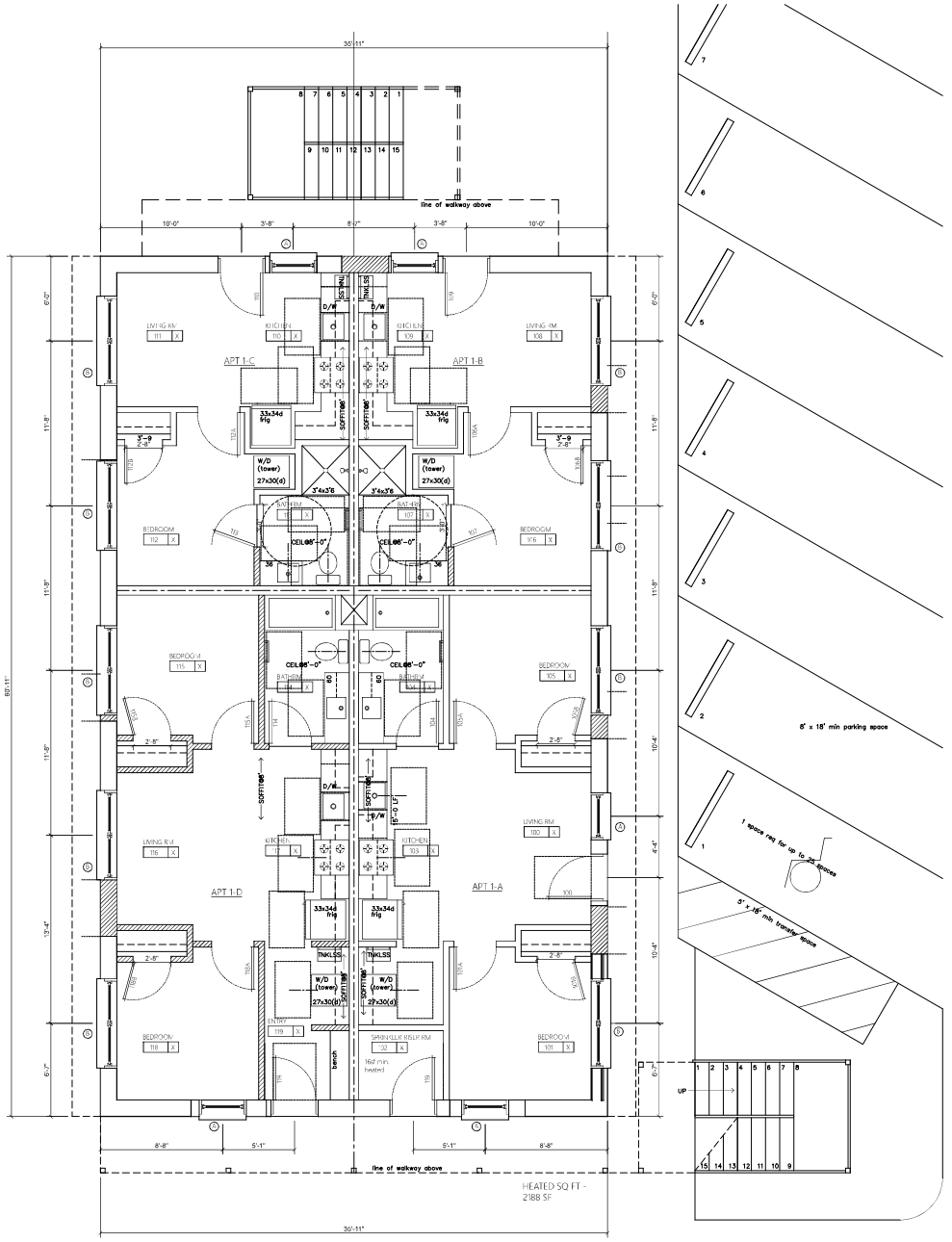
BOWDEN SURVEYING & MAPPING (704) 691-5256
317 SOUTH LAUREL ST.
LINCOLNTON, N.C. 28092

Applicant Exhibit 3

DOOR SCHEDULE

NUMBER	SIZE	TYPE	FRAME	BUCK	REMARKS
001	3'-0" X 6'-8"	A			SPRINKLER RISER DOOR
100	3'-0" X 6'-8"	A			ENTRY DOOR
101A	3'-0" X 6'-8"	A			
101B	2'-8" X 6'-8"	A			
104	3'-0" X 6'-8"	B			
105A	3'-0" X 6'-8"	B			
105B	2'-8" X 6'-8"	A			
106A	3'-0" X 6'-8"	A			
106B	2'-8" X 6'-8"	A			
107	3'-0" X 6'-8"	C			
109	3'-0" X 6'-8"	A			ENTRY DOOR
110	3'-0" X 6'-8"	A			ENTRY DOOR
112A	3'-0" X 6'-8"	A			
112B	2'-8" X 6'-8"	A			
113	3'-0" X 6'-8"	A			
114	3'-0" X 6'-8"	A			
115A	3'-0" X 6'-8"	A			
115B	2'-8" X 6'-8"	A			
118A	3'-0" X 6'-8"	A			
118B	2'-8" X 6'-8"	A			
119	3'-0" X 6'-8"	A			ENTRY DOOR
200	3'-0" X 6'-8"	A			ENTRY DOOR
201A	2'-8" X 6'-8"	A			
201B	2'-8" X 6'-8"	A			
202	2'-4" X 6'-8"	A			
205	2'-8" X 6'-8"	A			
206	2'-6" X 6'-8"	A			
207	2'-4" X 6'-8"	A			
208	2'-6" X 6'-8"	A			
209A	2'-8" X 6'-8"	A			
209B	PR2'-0" X 6'-8"	A			
211	3'-0" X 6'-8"	A			ENTRY DOOR
212	3'-0" X 6'-8"	A			ENTRY DOOR
214A	2'-8" X 6'-8"	A			
214B	PR2'-0" X 6'-8"	A			
215	2'-6" X 6'-8"	C			
216	2'-4" X 6'-8"	A			
217	2'-8" X 6'-8"	A			
218	2'-6" X 6'-8"	A			
221	2'-4" X 6'-8"	A			
222A	2'-8" X 6'-8"	C			
222B	2'-8" X 6'-8"	C			
223	3'-0" X 6'-8"	C			ENTRY DOOR
300	3'-0" X 6'-8"	C			ENTRY DOOR
301A	2'-8" X 6'-8"	A			
301B	2'-8" X 6'-8"	A			
302	2'-4" X 6'-8"	C			
305	2'-8" X 6'-8"	A			
306	2'-6" X 6'-8"	A			
307	2'-4" X 6'-8"	A			
308	2'-6" X 6'-8"	A			
309A	2'-8" X 6'-8"				
309B	PR2'-0" X 6'-8"				
311	3'-0" X 6'-8"				ENTRY DOOR
312	3'-0" X 6'-8"				ENTRY DOOR
314A	2'-8" X 6'-8"				
314B	PR2'-0" X 6'-8"				
315	2'-6" X 6'-8"				
316	2'-4" X 6'-8"				
317	2'-8" X 6'-8"				
318	2'-6" X 6'-8"				
321	2'-4" X 6'-8"		NO FRAME		WALL HUNG HARDWARE REQ.
322A	2'-8" X 6'-8"				
322B	2'-8" X 6'-8"				
323	3'-0" X 6'-8"				ENTRY DOOR

NOTE: ALL OPERABLE DOORS SHALL HAVE HARDWARE THAT MEETS ACCESSIBILITY CODE.



1 First Floor Plan 1/4" = 1'-0"

SHEEDY WATTS design
1501 E 7th Street Suite 5
Charlotte North Carolina 28204
704 763 2219

Consultants

Clement Street Apts

138 Clement Street
Boone NC

For Review
Not for Construc

Revisions

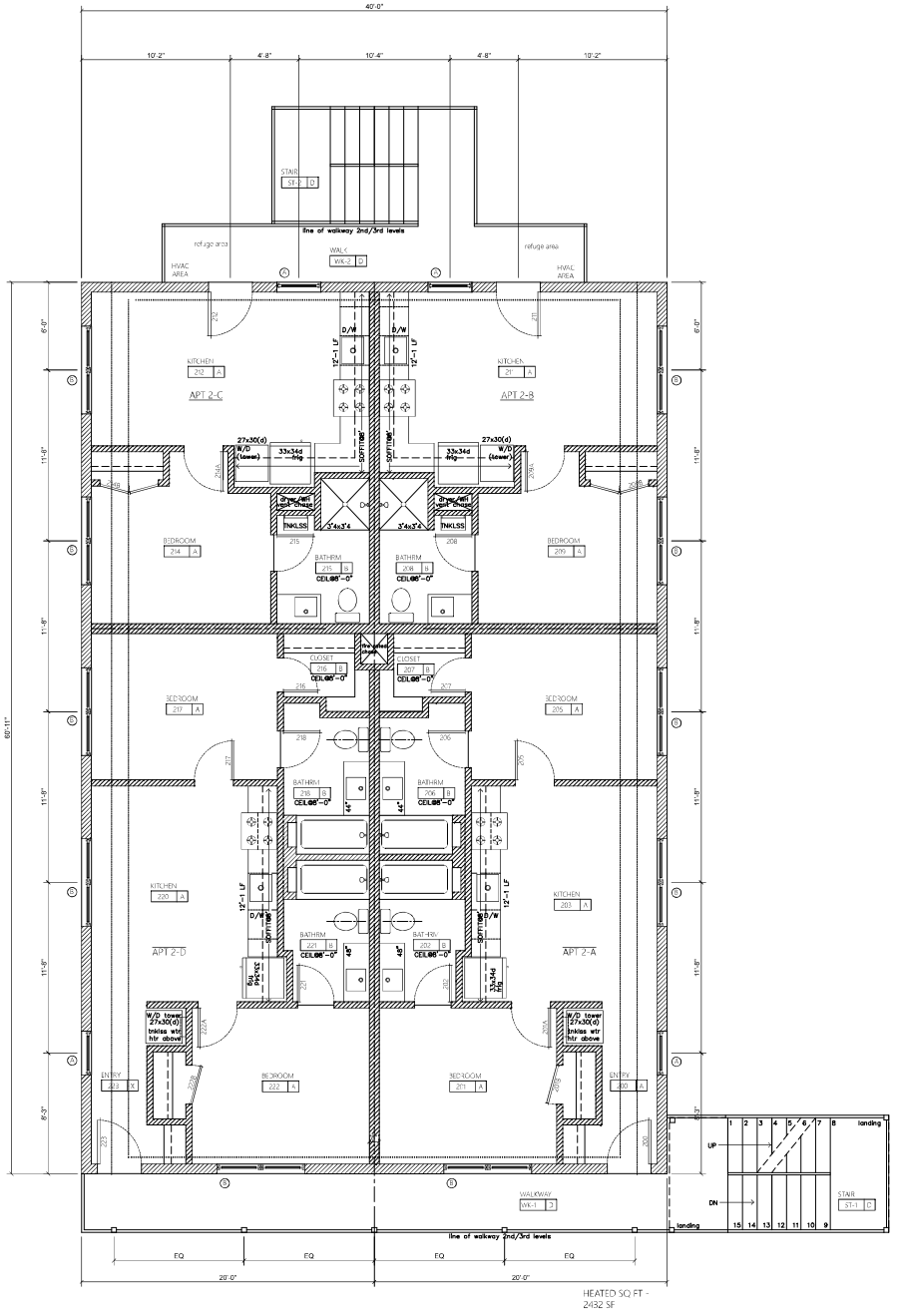
Date: June 22, 2026
Drawn by: CW RS
Checked:

First Floor Plan

A1.0

FINISH SCHEDULE							
SYMBOL	FLOOR	BASE	CHAIR RAIL	WALL	CEILING	CROWN	REMARKS
A	LUXURY VINYL TILE	WOOD		GYP BD/PAINT	GYP BOARD PAINT		FURR SOFFIT TO 8' AT WALL CABS. IN KITCHEN/LAUNDRY AREA FURR CEILING TO 8' AT BATHS
B	CERAMIC TILE	WOOD		C TILE TO 5'AFF GYP BD/PAINT	GYP BOARD UPPER LEVEL		C TILE TO 6'AFF @ SHOWER RMS C TILE TO 5'AFF @ TOILET RMS
C	CONCRETE	N/A		GYP BD 1-HR FIRE RATED	GYP BOARD 1-HR FIRE RATED		
D	METAL NON-SLIP	N/A		N/A	N/A		
E							
F							
G							

WINDOW SCHEDULE						
SYMBOL	WIDTH	HEIGHT	TYPE	MANUF	MODEL#	REMARKS
A	3'-0"	4'-4"				SINGLE UNIT
B	6'-0"	4'-4"				DOUBLE UNIT
C						



1 2nd Floor Plan 1/4" = 1'-0"

SHEEDY WATTS design

1501 E 7th Street Suite 5
Charlotte North Carolina 28204
704 763 2219

Consultants

Clement Street Apts

138 Clement Street
Boone NC

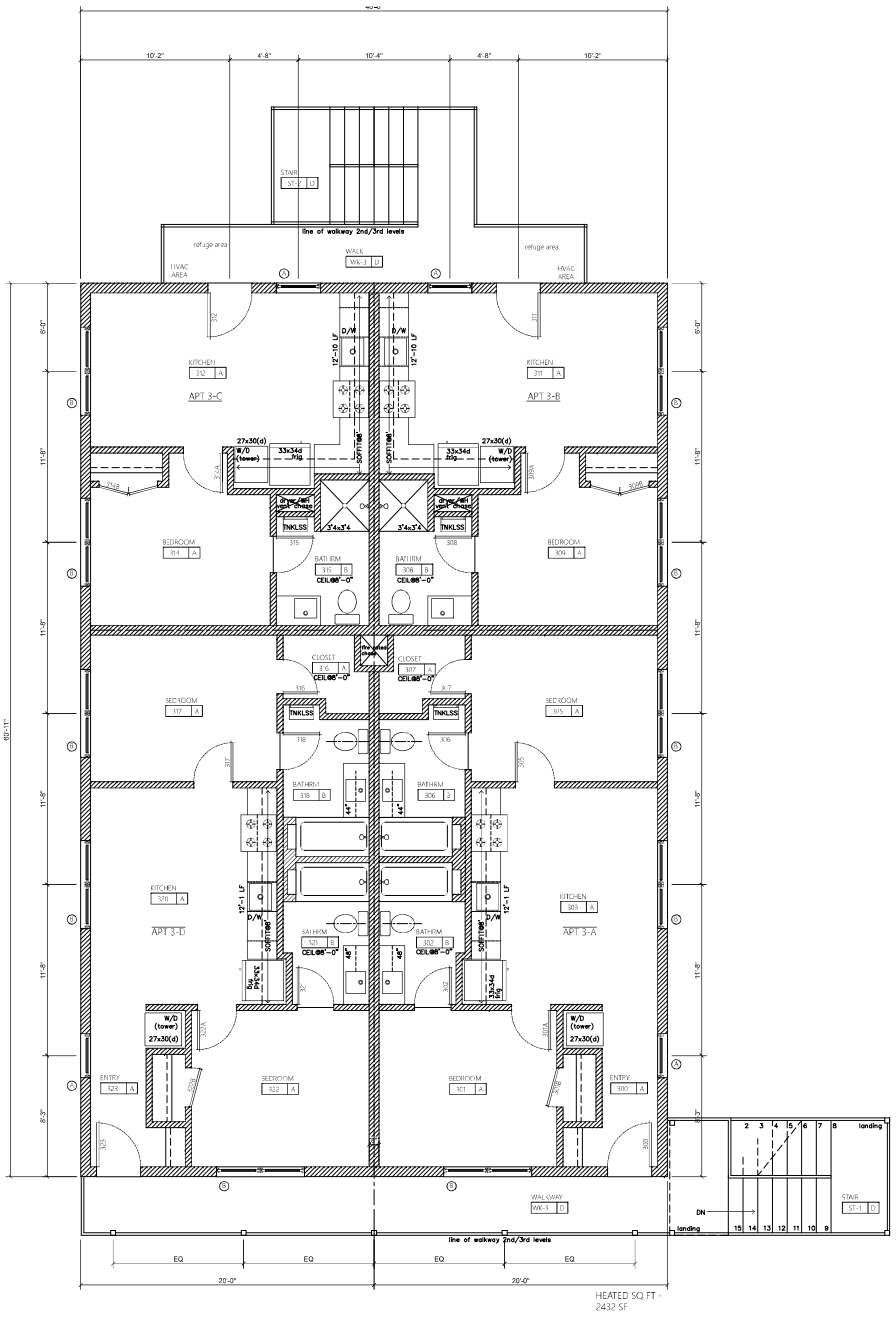
For Review
Not for Construc

Revisions

Date: June 22, 2026
Drawn by: CW RS
Checked:

Second Floor Plan

A1.1



1 3rd Floor Plan 1/4" = 1'-0"

SHEEDY WATTS design
1501 E 7th Street Suite 5
Charlotte North Carolina 28204
704 763 2219

Consultants

Clement Street Apts

138 Clement Street
Boone NC

For Review
Not for Construc

Revisions

Date: June 22, 2026
Drawn by: CW RS
Checked:

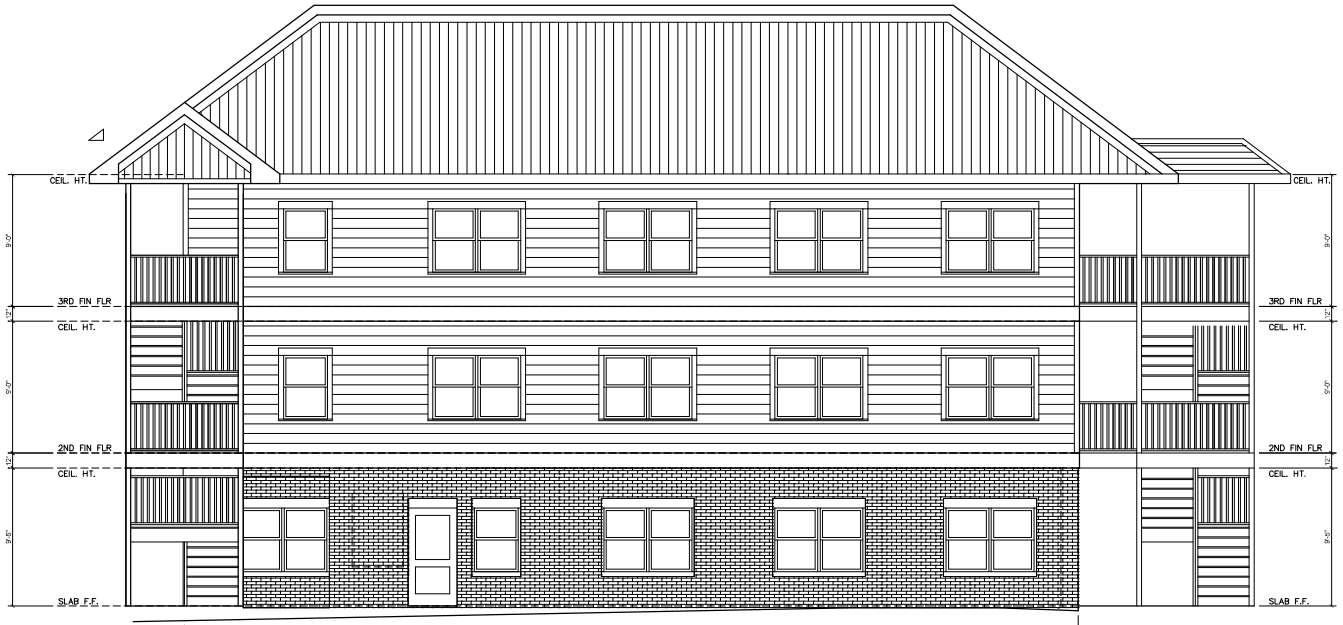
Third Floor Plan

A1.2

SHEEDY WATTS design
1501 E 7th Street Suite 5
Charlotte North Carolina 28204
704 763 2219



1 North Elevation 1/4" = 1'-0"



2 West Elevation 1/4" = 1'-0"

Consultants

Clement Street Apts

138 Clement Street
Boone NC

For Review
Not for Construc

Revisions

Date: June 22, 2026
Drawn by: CW RS
Checked:

Exterior Elevations

A2.0

138 Clement St. Rezoning - Neighborhood Meeting

Date: 6/29/2026
Location: Council Chambers, 1500 Blowing Rock Rd.
Hosted by: Brooke Butler & Rhett Butler

Attendees:
Joni Horine
Anne Wilson
Rachel Muller
Richard Muller
Lam Khan Kual
Tih Tih Kual
Bonnie Berkowicz
Michael Berkowicz
Brad Bodin
Allison Bodin
Kathie Senft
Karen Yates

Questions Asked:
- How many planned units and bedrooms?
- How tall will it be?
- Could we build what we want now without rezoning?
- Will there be a lot of light pollution?
- Will it cause traffic?
- Will we manage it?
- Do we already own the land?
- What is the planning schedule/ is it a done deal?

Promises:
- Building will not be 4 stories (max. 3).

Major Concerns:
- The majority of the meeting was spend discussing several houses in the neighborhood that seem to have very many occupants and cause neighborhood disturbances.

SUBSURFACE GEOTECHNICAL EVALUATION REPORT

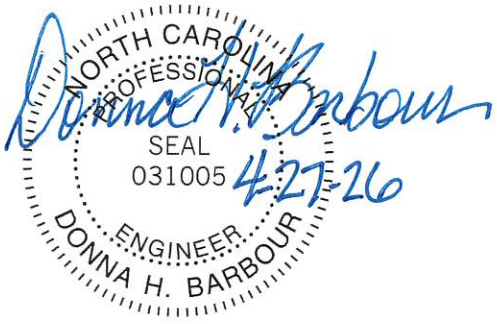
FOR

Clement Street Apartments, LLC
138 Clement St
Boone, NC
GTSI-GEO202604-124

April 27, 2026

Prepared for:

Rhett Butler



Prepared By:

Ground Technological Services, Inc.
4837 North Highway 16
Denver, North Carolina 28037
(704) 987-8378

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2.0 SITE/PROJECT DESCRIPTION 1

2.1 General 1

3.0 EXPLORATION PROCEDURES 1

3.1 General 1
3.2 General Subsurface Conditions 2

1.0 INTRODUCTION

Ground Technological Services, Inc. (GTSI) has completed the subsurface geotechnical evaluation for the proposed project. The proposed project site is located at 138 Clement St. in Boone, NC. GTSI herein submits the subsurface data accompanied by our comments and recommendations.

The purpose of this preliminary subsurface investigation is to obtain general information regarding subsurface conditions and to provide recommendations for the geotechnical aspects of the proposed improvements to the site. GTSI attempted to obtain the subsurface information from borings located at each corner of the existing building on the site. This report does not include any environmental assessment of the site.

2.0 SITE/PROJECT DESCRIPTION

2.1 Site General

The subject site consists of an existing one-story brick building with existing asphalt drives and/or parking areas on all four sides of the building. This investigation was performed to evaluate the existing foundation soils and determine the width and thickness of the existing footing and provide comments pertaining to whether the existing foundation could support the construction of additional floors above the first level.

3.0 EXPLORATION PROCEDURES

3.1 General Procedures

Four borings were performed, one at each corner of the existing building. The borings were advanced with a Track Mounted Drill Rig to evaluate the density of in-situ soils. Each boring was advanced with a 4" solid stem auger. Within each boring, Standard Penetration Resistance Testing was performed in accordance with ASTM D1586-84 at desired intervals to provide an index for estimating soil strength and density.

When properly evaluated, the Standard Penetration Resistance (N-value) provides an index for estimating soil strength and relative density. Typically, a blow count of 8 to 9 is approximately equivalent to 95% of Standard Proctor Moisture Density Relationship ASTM D-698 or 3,000 pounds per square foot (psf), with generally higher blow counts indicative of higher densities.

All borings were extended to the planned depth of seven and a half feet below existing ground surface elevation except for the right rear corner where rock was encountered at a depth of six and one-half feet (-6.5') below existing ground surface.

3.2 General Subsurface Conditions

All four borings encountered light brown to brown sandy silts. Within all borings performed, (N) Values ranged from 10 to 15+ blows per foot indicating a seismic class C. The top of the existing footing was located at a depth of ten inches (10") below existing ground surface with a thickness of nine inches (9") and an approximate width of eighteen inches (18"). No groundwater was encountered within any of the borings performed.

Based on the borings performed, it appears in general the soils are suitable for the development of the project.

This report has been prepared in accordance with generally accepted soil and foundation engineering practices. In the event, any changes occur in the design, nature, or location of the proposed facilities, **Ground Technological Services, Inc.** should review the applicability of conclusions and recommendations in this report. We also recommend a review of any design modifications to the final design and specifications by our office to ensure that earthwork and foundation recommendations are properly interpreted and implemented in the design specifications.

Planning Commission Chair/Vice-Chair Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C □ Boone, North Carolina 28607
Phone (828) 268-6960 □ Email: planning@boonenc.gov □ www.boonenc.gov

Board Member Information (Please see Board Secretary if needed for term information)

Name (Print): Frank Veno

Date Appointed: 6/21/2018

Date Term Expires: 6/30/2027

Number of Terms Served:

Position Sought: (Chair) Vice-Chair

Questions

1. **Orientation & Training**
   A. Have you completed the Planning Commission orientation?
   ☑ **Yes** □ **NO**
   B. If no, are you willing to attend orientation (2-3 hour commitment) prior to participating as Chair or Vice-Chair?
   □ **Yes** □ **NO**
2. **Comprehensive Plan & Other Adopted Plans**
   A. Are you familiar with the Town's current Comprehensive Plan and other adopted Plans as listed on the Planning and Inspections website under the "Ordinances, Plans & Studies" heading?
   ☑ **Yes** □ **NO**
   B. If no, are you willing to take the time to review these documents in order to familiarize yourself with the intent and content of these plans prior to participating as Chair or Vice-Chair?
   □ **Yes** □ **NO**
3. **Unified Development Ordinance**
   A. Are you familiar with the Town of Boone's Unified Development Ordinance, specifically Articles 1 General Provisions, Article 2 Administrative Mechanisms, Article 4 Permits, and Article 9 Amendments?
   ☑ **Yes** □ **NO**
   B. If no, are you willing to take the time to review these Articles in order to familiarize yourself with the intent and content of these Articles prior to participating as Chair or Vice-Chair?
   □ **Yes** □ **NO**
4. **Robert's Rules of Order**
   A. Are you familiar with Robert's Rules of Order?
   ☑ **Yes** □ **NO**
   B. If no, are you willing to take the time to review this Guide in order to familiarize yourself with the intent and content prior to participating as Chair or Vice-Chair?
   □ **Yes** □ **NO**
5. **Please explain why you wish to obtain this appointment:**
   Please see attached

RECEIVED
JUL 22 2026
BY:

I have been serving as Chair of the Planning Commission for the past year. I have also served as Vice-Chair and a board member for a total of eight years. I feel that this combined experience has qualified me to lead in this position.

When I was initially asked to serve on the Planning Commission I took the position with the purpose of wanting to give back to the community that has provided my family and I a vibrant and wholesome place to live and thrive. During my time on the board I gained insight into the administrative mechanisms that have made Boone the prosperous and unique place that it is and always aspires to be. It was also during my tenure that I was able to see first hand the hard work and dedication that goes into making this community what it is, especially the work of the Planning Department, the Town Council and the various committees that inform and advise these offices.

Another motivation for me to continue as Chair is that I've always appreciated the spirit of cooperation and mutual respect that have defined the present and past committees with whom I have had the pleasure of working with. I would like to be able to encourage present and future members with that respectful and democratic way of dealing with each other and the work put before us. That also means encouraging and working with all to participate in advancing the goals and ideals put forth in BooneNext, our comprehensive town plan.

Planning Commission Chair/Vice-Chair Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C Boone, North Carolina 28607
Phone (828) 268-6960 Email: planning@boonenc.gov www.townofboone.net

Board Member Information (Please see Board Secretary if needed for term information)

Name (Print): **Declan King**

Date Appointed: **September 2025**

Date Term Expires: **August 2028**

Number of Terms Served: **1**

Position Sought: Chair **Vice-Chair**

Questions

1. Orientation & Training

A. Have you completed the Planning Commission orientation?

Yes **NO**

B. If no, are you willing to attend orientation (2-3 hour commitment) prior to participating as Chair or Vice-Chair?

Yes **NO**

2. Comprehensive Plan & Other Adopted Plans

A. Are you familiar with the Town's current Comprehensive Plan and other adopted Plans as listed on the Planning and Inspections website under the "Ordinances, Plans & Studies" heading?

Yes **NO**

B. If no, are you willing to take the time to review these documents in order to familiarize yourself with the intent and content of these plans prior to participating as Chair or Vice-Chair?

Yes **NO**

3. Unified Development Ordinance

A. Are you familiar with the Town of Boone's Unified Development Ordinance, specifically Articles 1 General Provisions, Article 2 Administrative Mechanisms, Article 4 Permits, and Article 9 Amendments?

Yes **NO**

B. If no, are you willing to take the time to review these Articles in order to familiarize yourself with the intent and content of these Articles prior to participating as Chair or Vice-Chair?

Yes **NO**

4. Robert's Rules of Order

A. Are you familiar with Robert's Rules of Order?

Yes **NO**

B. If no, are you willing to take the time to review this Guide in order to familiarize yourself with the intent and content prior to participating as Chair or Vice-Chair?

Yes **NO**

5. Please explain why you wish to obtain this appointment:

Planning Commission serves an important role in shaping the conversation around local issues and advocating for the best interests of those who live in the Town of Boone. Effective administration of the Planning Commission is essential for the body to inhabit its greatest possible utility. Planning Commission is in a transitional phase, with the departure of Mrs. Pruitt and Mr. Tait (and the impending departure of Mr. Mileski), and I believe I have the experience and energy necessary to help incoming members understand board member duties: making motions, the CD process, and the "conversation shaping" role of a PC member. As Vice Chair, I would continue to encourage the board to focus on the goals and policies included in Boone Next, as the comp plan remains the most up-to-date record of our community's vision for itself. This focus on the comprehensive plan provides the basis for Planning Commission's legitimacy as a true community body. I will be present at all meetings in person this summer (pending illness or act of god) and plan on the same for fall 2026 and beyond as we add new members. As Vice Chair, I feel confident that I could discharge these duties myself as well as be an effective "mover" of the meeting alongside or in the absence of Mr. Veno when needed. I would love to continue the work PC has done in my time on the board in this role.

Planning Commission Chair/Vice-Chair Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ◆ Boone, North Carolina 28607
Phone (828) 268-6960 ◆ Email: planning@boonenc.gov ◆ www.townofboone.net

Board Member Information (Please see Board Secretary if needed for term information)

Name (Print):
Frida Paz-Miranda

Date Appointed:
06/23/25

Date Term Expires:
06/26/28

Number of Terms Served:
1

Position Sought: ☐ Chair ☑ Vice-Chair

Questions

1. Orientation & Training

A. Have you completed the Planning Commission orientation?

☑ **Yes** ☐ **NO**

B. If no, are you willing to attend orientation (2-3 hour commitment) prior to participating as Chair or Vice-Chair?

☐ **Yes** ☐ **NO**

2. Comprehensive Plan & Other Adopted Plans

A. Are you familiar with the Town's current Comprehensive Plan and other adopted Plans as listed on the Planning and Inspections website under the "Ordinances, Plans & Studies" heading?

☑ **Yes** ☐ **NO**

B. If no, are you willing to take the time to review these documents in order to familiarize yourself with the intent and content of these plans prior to participating as Chair or Vice-Chair?

☐ **Yes** ☐ **NO**

3. Unified Development Ordinance

A. Are you familiar with the Town of Boone's Unified Development Ordinance, specifically Articles 1 General Provisions, Article 2 Administrative Mechanisms, Article 4 Permits, and Article 9 Amendments?

☑ **Yes** ☐ **NO**

B. If no, are you willing to take the time to review these Articles in order to familiarize yourself with the intent and content of these Articles prior to participating as Chair or Vice-Chair?

☐ **Yes** ☐ **NO**

4. Robert's Rules of Order

A. Are you familiar with Robert's Rules of Order?

☐ **Yes** ☑ **NO**

B. If no, are you willing to take the time to review this Guide in order to familiarize yourself with the intent and content prior to participating as Chair or Vice-Chair?

☑ **Yes** ☐ **NO**

5. Please explain why you wish to obtain this appointment:

I have years of experience as a grassroots organizer and activist where I was in positions where I had lead meetings, and moderated them to continue good faith conversation where every member has a chance to offer their insights, opinions, and values. I am reaching my first year term on the planning commission board and I have learned so much as well as expressed different perspecitives on issues that face our community. I would like to continue serving my community and continue my journey in public service with all of the knowledge, care and experience that I have.