TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING AND PLANNING COMMISSION MEETING MINUTES
MONDAY, SEPTEMBER 28, 2026, 6:00 PM
1500 BLOWING ROCK ROAD

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

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

PLANNING COMMISSION MEMBERS ABSENT: Garrett Kight

PLANNING STAFF PRESENT: Jane Shook-Director of Planning & Inspections, Brandon Wise-Deputy Director of Planning & Inspections, Amy Snider-Zoning Administration Manager, and Brenda Henson-Board Clerk

OTHER TOWN STAFF OR REPRESENTATIVES PRESENT: Allison Meade-Town Attorney

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Call to Order

Mayor George called the Town Council to order at 6:00 p.m. Chair Veno called the Planning Commission to order at the same time. The meeting was held in the Town Council Chambers at 1500 Blowing Rock Road, Boone.

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 July 27, 2026, Public Hearing minutes.

VOTE: Aye – 5
Nay – 0

The motion passed.

Commission Member Paz-Miranda made a motion to approve the July 27, 2026, Public Hearing/Planning Commission meeting minutes with a correction on page 9 of the minutes that would reflect her relaying Jeff Younce's question of whether the development would require widening of the neighborhood roads and where the funding would come from to obtain right-of-way acquisitions. The motion was seconded by Commission Member Harrison.

VOTE: Aye – 5
Nay – 0
Absent – 1 (Kight)

The motion passed.

PUBLIC HEARING

Case A26-0515 Khulaqi Parcel – General Use Zoning Map Amendment

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

Amy Snider, Zoning Administration Manager, presented the request, noting that this was a .31-acre parcel located on US Hwy 421 South. The parcel is currently split-zoned, with the northern portion being B3 and

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the southern portion being R3, with a corridor district overlay. Ms. Snider stated that the R3 portion was 1730 square feet. Rezoning the R3 portion would zone the entire parcel as B3, General Business, with a corridor district overlay. The parcel is adjacent to the driveway entrance of The Collection Apartments and Three Forks Baptist Church to the west, the new SpringHill Suites being constructed to the east, and the Industrial Park across Hwy 421 to the north.

Allison Meade, Town Attorney, reminded everyone that this was a general use rezoning request, so they would need to consider all of the uses allowed in a B3 zoning district. Mayor George added that car washes, hotels, gas stations, and drive-throughs were not allowed by right in the B3.

Ms. Snider referred Council and Commission members to page 20 of the staff report that contained an analysis of uses in the R3 and B3 zoning districts.

Council Member Tait asked what the setbacks were on this parcel. Ms. Snider replied that there was a 20' street setback and a 17' interior setback.

Council Member Roseman said this corridor was growing and that she favored rezoning a portion of the property from R3 to B3.

Mayor Pro Tem Carter indicated that he would like to see the parcel developed. He stated that the hotel being constructed next door would not serve food and suggested that a business to fill that void would be a good idea.

Mayor George opened the hearing for public comment.

Michael Trew with Municipal Engineering stated that the parcel contained less than 1/3 acre and that rezoning the R3 portion to B3 would allow the property to be developed because it would then meet the minimum lot size for B3 properties.

Council Member Roseman noted that the property used to be part of a trailer park years ago.

Rex Battern stated that he owned property adjacent to the hotel. He said he was still waiting for his settlement negotiation with the hotel owners because the Khulaqi property contained the water line to his house. Mr. Battern expressed concern about the minimum lot size, setback requirements, and protecting his and his family's water rights.

Mayor George closed the public comment for this case at 6:11 p.m.

Ms. Meade stated that Mr. Battern's water-rights issue was a civil matter.

With nothing further, Mayor George closed the public hearing for this case at 6:13 p.m.

Case A26-0521 Clement Street Apartments – Conditional District Zoning Map Amendment

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 and 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.

Brandon Wise, Deputy Director of Planning & Inspections, presented the request and noted that the proposed development would consist of six one-bedroom units and six two-bedroom units. The existing structure would remain as the ground-floor units, and two additional stories would be built atop the ground floor. Mr. Wise stated that the applicant had requested six deviations as shown below:

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.

Council Member Tait asked whether all runoff from the roof or parking lot would run down the hill toward Hwy 321. Mr. Wise replied that the runoff would go toward Clement Street, and some might run toward the Winkler Square Apartments.

Council Member Tait asked about the livability space deviation, which would decrease from .50 to .15. Mr. Wise explained that livability space was typically met by buffer yards, street yards, recreation space, or green space. A certain percentage of the livability space could be impervious, such as walkways. He stated that the applicant was claiming the balconies as outdoor livability space.

Council Member Roseman indicated she was in favor of some of the deviations. However, she felt that deviations #3 and #4 encouraged a rent-by-the-bedroom scenario. She noted that she did not consider the balcony walkways as personal space and urged Council members to remain consistent with the principles of Boone Next.

Ms. Meade explained that the UDO had required unit configuration for about 15 years, and it was developed to supposedly create more family housing.

Council Member Pruitt asked how many parking spaces would be lost when staircases were installed to the upper floors. Mr. Wise replied that two parking spaces would be lost, noting that the property currently exceeded maximum parking requirements. Council Member Pruitt said she would have liked the site plan to include the staircases to show a true picture of the site.

Council Member Tait asked where the HVAC units would be located. The applicant, Brooke Butler, replied that they planned an A-frame-style lower slope with side-mounted HVAC mini-split units toward the back of the building. She noted that they might add shading to the units, but that was still in the idea phase.

Council Member Tait stated that, in the past, the lot was built out basically to the property lines with pavement or roof surfaces covering the entire property. All stormwater runoff from the property was essentially the town's problem. He asked the applicant to consider installing a buried structure in the parking lot as part of the build-out to capture as much stormwater as possible on-site. He asked Mr. Wise if a buried system would be feasible on this site. Mr. Wise replied that there was space on the side between the building and Winkler Square to bury a system in the parking lot, allowing easier access to the existing stormwater lines on Clement Street.

Council Member Tait stated that the livability space for this parcel was challenging. He felt that while the buffers were what they were, they did not take away from the desire. He suggested some additional plantings on the northern part of the parcel. Ms. Butler offered to speak with neighboring property owners regarding additional landscaping and beautification at the property lines.

Mayor Pro Tem Carter applauded the four handicap-accessible units on the ground floor, stating they were desperately needed. He said he favored the deviation to eliminate the carports and garages. Mayor Pro Tem Carter thought this was a nice use of the property.

Ms. Butler stated that she wanted the development to look good. She noted that the ground floor would be brick, with the upper floors being Hardie board, and she would like to incorporate some stone. However, Ms. Butler stated that the exterior materials had not been finalized.

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Ms. Meade explained that the Conditional District Zoning Map Amendment process required a clear conceptual vision of the development, typically in the form of finalized elevations, for Town Council to approve the rezoning request. She noted that Hardie board and real stone were not problems. However, cultured stone was frowned upon. Ms. Meade suggested the applicant commit to using a certain percentage of brick or stone. She also suggested further discussion of the roof form, with the applicant committing to a shed-style or low-gable style. Ms. Butler stated that the roof would be a low gable roof. Mr. Wise added that the proposed building height met the height restriction, so a lower-pitched roof would be acceptable.

Chair Veno asked whether the existing building met current UDO regulations for lot size and setbacks. Mr. Wise stated that the setback requirements would be met, but because the parking lot extended to the edge of the site, the development could not meet the landscaping requirements. Chair Veno asked if the new development would create non-conformities. Ms. Meade explained that a Conditional District required the development to meet current regulations. Because the applicant could not meet the current regulations, the applicant requested deviations.

Chair Veno expressed concern with the parking spaces along Clement Street. Mr. Wise said the applicant wanted to retain those parking spaces, but parking requirements would still be met if the spaces were removed.

Commission Member King said he was happy to see an adaptive reuse project and hoped others would follow suit. He felt deviations one, five, and six were just the nature of adaptive reuse. Commission Member King asked whether the project would include on-site bike parking. Mr. Wise replied that bicycle parking would be located underneath the balcony.

Council Member Tait noted that Hardie board siding, without quality installation, did not look really great after a couple of years. He suggested the Council consider this as it considered future changes to the UDO. He asked the applicant to consider brick for a majority of the exterior.

Commission Member Luther asked the applicant whether she would consider conditions requiring the lighting to be shielded and existing trees and landscaping at each corner of the property to be retained. Ms. Butler agreed to a condition to retain the existing trees and landscaping. Commission Member Luther asked the applicant whether she would agree to a condition to enhance the northeast buffer. Ms. Butler replied that this area was not on their property, but she could speak with the property owner.

Commission Member Luther asked whether the building's original footing could support additional stories. Mr. Wise noted that he had spoken with the Town's chief building inspector, and engineering would be required to ensure that the building would be stable and able to support the additional weight.

Commission Member Luther asked the applicant if she planned to retain the original brick. Ms. Butler responded that the original brick would be retained, with a close brick match where some of the windows and doors would be relocated if necessary. Commission Member Luther asked who would manage the building. Ms. Butler replied that her mother, Phyllis Butler, would be the manager.

Commission Member Luther referenced parking and asked the applicant if the target was to have 18 tenants. Ms. Butler said she preferred at least two parking spaces per unit, regardless of unit size. Commission Member Luther asked if the two-bedroom units had bedrooms of equal size. Ms. Butler said the bedrooms would be very close in size.

Commission Member Luther asked Ms. Butler if she would accept a condition to rent by the unit, not by the bedroom. She replied that, if it was a requirement, she could commit to that condition. Commission Member Luther asked Ms. Butler whether she would designate one of the studio apartments as an affordable housing unit. Ms. Butler said they had run the numbers and could not commit to that at this time.

Chair Veno asked who the units would be marketed to. Ms. Butler responded that they had no particular demographic in mind. She explained that the ground-floor units would be handicap-accessible and that the project was in a great location. She indicated that the units would be rented to whoever was interested.

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Council Member Roseman noted that the parking requirement would be exceeded and asked Ms. Butler if she would be willing to convert the four parking spaces that currently back out onto Clement Street into a grassy area that would count toward the livability space. Ms. Butler replied that she would like to provide guest parking and have plenty for residents. Ideally, she would like to have assigned spaces for each apartment, a space for maintenance, and spaces for visitors. She noted that the proposed parking was not too far over the bare minimum required. Ms. Butler said she would like to keep those four parking spaces and suggested rotating them 90 degrees to face inward. Council Member Roseman felt that would make a huge difference in people's safety. She pointed out that Clement Street was on a steep hill and backing out into it in the winter could be dangerous. Council Member Roseman said she had grown, adult children who used to live in apartments: one with a master bedroom and a secondary bedroom with a communal bathroom; another with two bedrooms, each with its own bathroom. When guests had to pass through a bedroom to reach the bathroom, that wasn't ideal. The apartment with the communal bathroom did not pose the same level of discomfort for the person in the secondary bedroom. Council Member Roseman said she was adamant about not approving the deviation to remove the common-access bathroom. She felt Ms. Butler was trying to care for the community and revitalize what was essentially becoming a blight. However, she would like to see common-access bathrooms and an alternative to backing out into Clement Street.

Ms. Butler said that if the second- and third-floor two-bedroom units had communal access, she would have to change the layout to two-bedroom, one-bath units, given the building's existing footprint.

Mayor George invited public comment.

Roberta Bryant stated she worked at Appalachian State University and would like to see more units for families. She noted that she moved to the area 4 ½ years ago and lived in a 200-square-foot studio apartment. She felt a common-access bathroom, along with a private bathroom, would be the best configuration for families.

Rachel Yates Muller said Dr. Herbert Wey, the third president and first chancellor of App State, lived on that property in a large white house with a barn and horses long before it became a pool hall. She noted that she had lived on Oak Street for 70 years and her family had been in Watauga County since the 1770s. During those 70 years, she watched Oak Street change from one of Boone's most beautiful, family-oriented neighborhoods into a street dominated by apartments and fraternity and sorority houses, despite its R1 and R2 NCD designation, with almost no single-family homes remaining. Ms. Muller feared that, if this project was approved, the grassy area next to it would become apartments, and then the two properties behind the Appalachian Alumni Center would be developed into apartments. All of which would destroy the neighborhood. Although Boone had grown, Ms. Muller said not every residential neighborhood needed to become multi-family development. She added that you could not enter Boone from any direction without being bombarded with apartment buildings. Ms. Muller asked the Council and the Planning Commission to consider what this decision would mean for the R1 designation on Oak, Clement, and Wey Streets, for the families that live there, and for the character of Boone that future generations would inherit.

Kathie Senft stated that she lived on Oak Street, which was full of apartments and frat houses, with bars and restaurants on the street below. Constant partying, noise, and traffic were common. Ms. Senft stated she strongly opposed an apartment building at this location. She noted that some houses in her neighborhood were for sale, but no one wanted to buy or rent them because of the partying on the street.

Linda Rigell stated that she lived in the neighborhood and agreed with others' comments. She asked the Council to consider neighborhood concerns such as occupancy violations, parking on the street, parking in yards, party lights, trash and trash cans on the sidewalk and street, campfires, partying, noise, and blocked streets. Ms. Rigell said that if property managers handled trash as Mr. Winkler did, the problem wouldn't be as bad.

Bonnie Berkowitz of 584 Oak Street expressed concern about more apartments in the neighborhood. She echoed others' concerns, noting that enforcement of Town regulations needed to improve.

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Zachary Wygant said he lived at Mountaineer Hall and had heard similar stories about trash and enforcement. He felt sororities cleaned up better than fraternities. Mr. Wygant wished the town could go back to a simpler time when everyone was more united, respectful, and responsible.

Mayor George closed public comment for this case.

Council Member Roseman stated that she and her husband were Greek. She felt some comments were harsh, noting that many Greek organizations did good things in the community. She noted that young people did not always make wise decisions. If parties were happening on the street, it was a public safety concern. Council Member Roseman said the community needed housing stock, particularly family housing stock.

Mayor George said he lived on Woodland Drive, walked his dog through this neighborhood every day, and saw many of these issues. He expressed concern about broken glass, blocked sidewalks, and broader enforcement issues. He agreed that Oak Street needed some love, which was a larger conversation than tonight's public hearing. Mayor George said the Council needed to work with staff to develop solutions for that area.

Mayor Pro Tem Carter said the area needed family housing. He noted that the property owners and property manager were local. Mayor Pro Tem Carter said he knew many people who needed to rent these apartments, and the town did not have enough handicap-accessible apartments. He did not want other neighborhood concerns to derail this project.

Council Member Tait said he wanted to consider how to manage the challenges on Oak Street. However, he wanted to focus on tonight's project. He noted that the parcel was adjacent to an apartment building, the App State Alumni Center, and a mixed-use building. Council Member Tait felt a smaller, multi-family project could buffer Hwy 321 from the R1 single-family homes. He expressed concern that the proposal might not be ready, noting that he would like to see a condition that involved some level of stormwater mitigation on the site. This would require design and cost considerations by the applicant, and she may not be prepared to accept a condition until further research was completed. Council Member Tait noted the roofline and other design elements that would need to be considered before Town Council could make a final determination.

Ms. Meade explained that the applicant could request that Town Council hear the case at a later date to allow time to further refine the project details.

Mayor George said he was troubled by the idea that any rental would negatively impact the neighborhood. He suggested the property owner consider management similar to the Winkler property and look for ways to build trust with the neighborhood.

Ms. Meade noted that the Planning Department had long expressed concerns about the Oak Street area. She said a focused discussion on enforcement needed to take place. Ms. Meade felt the Town had ordinances to address the issues, but it needed to consider resources and budgeting.

Council Member Pruitt did not feel that a continuance of the public hearing was necessary. She felt that the applicant could address the issues discussed at this meeting and bring those updates to the Town Council meeting for consideration. Mayor Pro Tem Carter and Council Member Roseman agreed.

Adjournment of Town Council

Mayor George adjourned the Town Council at 7:27 p.m.

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Dalton George, Mayor **Brenda Henson, Board Clerk**

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Frank Veno, Planning Commission Chair

PLANNING COMMISSION MEETING

Chair Veno called a break from 7:27 p.m. to 7:38 p.m.

Chair Veno stated that when taking votes, he would like each Planning Commission member to voice their for-or-against vote individually to make it easier for everyone to understand.

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

Case A26-0515 Khulaqi Parcel – General Use Zoning Map Amendment

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 PIN 2920-09-4335-000) from R3 Multiple-Family Residential to B3 General Business with Corridor District Overlay.

Commission Member King stated that he saw no reason the entire parcel should not be zoned B3. Commission Member Paz-Miranda and Chair Veno agreed.

Vote 1

Commission Member Luther made a motion that the proposed amendment to the Town's zoning map 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:

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.

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.

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.

The rezoning would match the walkable mixed-use designation on the Future Land Use Map along the corridor.

Commission Member Harrison seconded the motion.

VOTE: Aye – 5
Nay – 0
Absent – 1 (Kight)

The motion passed.

Vote 2

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Commission Member Luther made a motion, seconded by Commission Member King, that the Planning Commission recommends approval of Ordinance A26-0515 within Staff Report Exhibit A and approval is reasonable and in the public interest because this amendment unifies a split-zoned parcel whose R3 portion cannot be developed on its own since the lot is below the R3 minimum of 20,000 square feet, it matches the B3 zoning on the adjoining parcels along a commercial corridor, and the full range of B3 uses is compatible with the neighboring hotel, commercial, and manufacturing uses, with required buffers addressing the apartment to the south.

VOTE: Aye – 5
Nay – 0
Absent – 1 (Kight)

The motion passed.

Case A26-0521 Clement Street Apartments – Conditional District Zoning Map Amendment

Clement Street Apartments, LLC submitted a Conditional District Zoning Map Amendment application to rezone property at 138 Clement Street (Watauga County PINS 2910-15-2928-000 and 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.

Commission Member King acknowledged the need for family housing. He noted the discussion regarding bathroom access and renting by the unit. Commission Member King said students pushed people out of housing because split leasing gave them more buying power. He felt that, to give families a better chance of renting these units, conditioning by-the-unit leases would be a better option than trying to dictate the interior layout.

Commission Member Paz-Miranda agreed with Commission Member King, noting that such a condition could allow families and young professionals an opportunity to rent these units.

Commission Member Luther noted that Boone was growing. He also noted that students and fraternities were not protected classes. Commission Member Luther wanted to ensure the Commission did not limit the owner's ability to use the land as needed to maintain a commercial interest, while also not creating a way to rent individual bedrooms. He said he was less concerned that the development would significantly change the neighborhood, noting it would provide a transition from commercial uses to the residential neighborhood. Commission Member Luther said the developer and property manager were local. He felt this was a wonderful project that included ADA units and used an existing building. However, the proposal could use a little bit more work. Commission Member Luther said he would like to see conditions requiring the apartments to be rented by the unit rather than by the bedroom, stormwater mitigation addressed, landscaping installed, and parking situated so cars would not back out onto Clement Street. He asked whether the applicant would install a sidewalk along Clement Street. Mr. Wise replied that the applicant would be required to install a sidewalk.

Commission Member Paz-Miranda asked whether the approval could include conditions requiring the lease to prohibit parties and address trash and noise control.

Commission Member King felt that those items were enforcement issues.

Commission Member Luther asked Ms. Butler what other properties she or her mother managed. Ms. Butler replied that they managed The Brookes on Faculty Street and King Street Apartments on King Street.

Commission Member Luther asked whether the development would have a dumpster. Ms. Butler indicated there would be a dumpster with an enclosure. Commission Member Paz-Miranda asked where the dumpster would be located. Ms. Butler replied that the dumpster location had not been fully mapped out. She did not realize she would be required to submit a full scope of the development at this meeting. Ms. Butler proposed locating the dumpster at the back of the property, straight back from the entrance.

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Commission Member Luther suggested conditions requiring shielded, downward-directed exterior lighting, buffers planted where possible, and preservation of all existing trees. Mr. Wise noted that the UDO required shielding and downward angling of the exterior lighting.

Chair Veno mentioned the bathroom configuration. He did not like the idea of not having a public-access bathroom in certain apartments, preferring one bedroom with its own private bathroom and the other bedroom sharing a common bathroom.

Commission Member Paz-Miranda felt the proposed bedroom/bathroom design was probably the best way to arrange the units without losing square footage in the living spaces. She stated that as long as the unit was rented as a whole, families and young professionals would have more chances to obtain a unit.

Commission Member Harrison noted that while the bathroom configuration might encourage renting by the bedroom, the requirement to rent the unit should alleviate that issue.

Commission Member King did not see the bathroom configuration as an issue, noting that neither Boone Next nor the public commented on that topic.

Ms. Butler said that if the second bathroom had to provide common access, they would probably have to change the units to two bedrooms and one bathroom due to design constraints.

Commission Member Luther said he wasn't particularly concerned about the awkwardness of someone having to go through another person's bedroom to use the bathroom, but was more interested in providing housing opportunities for young professionals or families.

Ms. Butler said it was fairly standard to have two bedrooms and two bathrooms of nearly equal size, whether you were near a college or renting to families. She noted that because of the development's proximity to campus, some students would likely live there, but renting by the unit should help move the town in the direction it was trying to go.

Mr. Wise reminded Commission members that the requested deviation to remove the requirement for a common-access bathroom applied only to the upper-floor two-bedroom units. He noted that the first-floor units were two-bedroom units with one common-access bathroom. Mr. Wise also reminded members that the applicant had to agree to any conditions.

Chair Veno mentioned a stormwater mitigation condition and asked the applicant whether she would accept a condition to install a system. Ms. Butler replied that they could look into it. She explained that the development would not change the existing impervious area, so she was hoping they would not have to install stormwater mitigation. Ms. Butler expressed concern that the system cost could make or break the project.

Commission Members Luther and King felt the Commission lacked enough detail at this meeting to impose a stormwater mitigation condition.

Commission Member Luther did wish to impose a condition to preserve the existing trees. Ms. Butler agreed to that condition.

Commission Member Luther suggested a condition that the four parking spaces along Clement Street be reoriented so that vehicles did not back out into the street.

Jane Shook, Director of Planning & Inspections, suggested the applicant work with Mr. Wise on parking solutions that would eliminate vehicles backing out onto Clement Street while retaining adequate parking and proper locations for solid waste and recycling.

Chair Veno felt this was a good development plan and liked that it would reuse an existing building. He acknowledged neighborhood concerns that students were loud, partied, and created trash. Chair Veno felt that landlords should be held responsible for their tenants.

Ms. Shook asked the applicant if she would accept a condition that the development would rent by the unit, not by the bedroom. Ms. Butler felt that this condition could be accommodated, if imposed.

Vote 1

Commission Member Luther made a motion that the proposed amendment to the Town's zoning map 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:

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.

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 1.3.4: 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.

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.

The development will provide multi-family housing as a primary use in the walkable mixed-use designation.

Commission Member Paz-Miranda wished to amend the motion to add:

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 cafes, 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.

Commission Member Luther accepted the amendment.

Commission Member Paz-Miranda seconded the motion.

VOTE: Aye – 5

Nay – 0

Absent – 1 (Kight)

The motion passed.

Vote 2

Commission Member Luther made a motion, seconded by Commission Member King, that the Planning Commission recommends approval of Ordinance A26-0521 within Staff Report Exhibit A and approval is reasonable and in the public interest as an adaptive reuse that adds housing within walking distance of a campus without new impervious surface, and that replaces the full range of B3 commercial uses with a residential use of lower traffic and noise impact, subject to the following conditions:

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. Units shall be leased by the unit, not by the bedroom.
5. Provide parking that does not impede traffic on Clement Street, including those spaces that back into the street.
6. The applicant must work with town staff on a solid waste collection plan that defines the container location and collection access before site plan approval.
7. Existing trees on the site must be retained.

VOTE: Aye – 5
Nay – 0
Absent – 1 (Kight)

The motion passed.

Other Matters

Planning Commission Vice-Chair

Commission Member King nominated Frank Veno as the Planning Commission Chair. Commission Member Luther seconded the nomination.

VOTE: Aye – 5
Nay – 0
Absent – 1 (Kight)

The motion passed.

Commission Members Paz-Miranda and King applied for the Vice-Chair position and provided brief statements regarding their desire to hold the office. Commission members struggled to choose between the two candidates.

Commission Member Luther nominated Frida Paz-Miranda as the Planning Commission Vice-Chair. Chair Veno asked if there were any other nominations. Commission Member King nominated himself as Vice-Chair.

VOTE FOR PAZ-MIRANDA: Aye – 4
Nay – 0
Abstain – 1 (Paz-Miranda)
Absent – 1 (Kight)

The motion passed.

VOTE FOR KING: Aye – 4
Nay – 0
Abstain – (King)

DRAFT

Absent – 1 (Kight)

The motion passed.

Ms. Shook explained that the nominations would be forwarded to Town Council for their final selection of Chair and Vice-Chair.

Website

Ms. Shook announced that the town's website would include a form allowing the public to email Planning Commission members. She explained that the emails would go to members' personal email addresses, which would not be shown on the website. If members chose to reply by email, their personal email address would then be visible to the recipient. Ms. Shook reminded Commission members that they could only speak for themselves in any email response and could not act on behalf of the Commission.

Mr. Wise noted that the October meeting would likely be a Planning Commission meeting without Town Council present. If Commission members felt the need to discuss the contact form further, they could do so at the October meeting.

Adjournment of Planning Commission

With nothing further, Chair Veno adjourned the meeting at 8:46 p.m.

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Frank Veno, Planning Commission Chair **Brenda Henson, Board Clerk**

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