MINUTES
BREVARD PLANNING BOARD
SPECIAL CALLED MEETING
July 8, 2014

Brevard Planning Board met for a special called meeting on Tuesday, July 8, 2014, at 7:00 PM in Council Chambers of City Hall.

Members Present:	Gary Daniel, Chair Demi Loftis Norah Davis Kimsey Jackson Coty Ferguson
Members Absent:	Seyl Park Katie Thompson
Staff Present:	Josh Freeman, Planning Director Brad Burton, Assistant Planning Director Daniel Cobb, Planner Janice H. Pinson, Board Secretary
Others:	Matt Fusco, Engineer, Brevard College Carleton R. Collins, AIA, McMillan, Pazdan, Smith, Architecture Brevard College Terry Ball, Developer, Brevard Place Brian Upton, Isaacs Group, Engineer, Brevard Place

I. Welcome and Introduction of Planning Board Members -

At 7:00 PM Chair, Gary Daniel, called the meeting to order. The Board members and Staff introduced themselves and there was a moment of silent meditation.

II. Approval of Minutes –

Minutes from the June 17, 2014 meeting, there was a motion to approve by Coty Ferguson, seconded by Norah Davis and unanimously passed.

III. New Business –

A. Consideration of Brevard College Planned Development District- Phase I – Application #09-152.

J. Freeman stated that he would let Brevard College representatives make their presentation and that he was available for questions. He said the plan meets all standards and that Staff recommends approval.

Matt Fusco, Engineer for Brevard College and Carleton Collins, Architect each gave a brief overview of the plan as presented to the Board in their agenda packets.

The Board had questions as to fire truck access which were answered by Matt Fusco stating that the existing road along Kings Creek would be maintained in its current condition and that there would be a new alignment of the road that goes by the barn as well as access at the front of the building.

J. Freeman stated that the Brevard Fire Department had reviewed and approved the plan and the Transylvania County Fire Marshal will review the plan at the time application is made for building permits.

C. Ferguson requested that the ordinance be changed to streamline projects that are unchanged so as to not require them to come before the Board.

J. Freeman stated a text amendment with approval from Council would be required and that the review process is in the process of being changed to more effectively streamline and allow Staff more authority to approve projects once conditions have been met.

J. Freeman explained that the Board had the following options: to approve as presented, approve with conditions, deny or table for 60 days.

C. Ferguson made motion to approve as presented, seconded by N. Davis, unanimously approved.

B. Consideration of Brevard Place, Application #14-197 for Planned Development District.

J. Freeman, Planning Director stated that the application before the Board is very similar in nature to the Brevard College Master Plan application. He stated that Phase I would be Bojangles Restaurant and Brevard College Student Housing. He stated that his Staff Report outlines the deficiencies in the plan and that because of the incomplete plans, Staff's recommendation is for denial or to table for 60 days for further information or if the Board chooses they can approve as presented or approve with conditions. He introduced Terry Ball, Developer and Brian Upton, Engineer.

Terry Ball introduced himself and gave an overview of acquiring the properties and the challenges and unexpected items they had to address and overcome. He described the temporary housing for Brevard College with a total of 34 rooms for students and resident assistants.

Brian Upton with the Isaacs Group, Consulting Engineer for the project introduced himself and stated that he was present to field technical questions to set the Board's minds at ease.

G. Daniel, Chair stated that there was missing information and based on the Traffic Impact Analysis report there are many items that need to be addressed before moving the project forward. G. Daniel further mentioned the five (5) items listed in the Staff Report that need to be addressed: 1. Functional recreation/open space 2. The location of parking in the front yard of buildings 3. Buffers and landscaping 4. Signage 5. Access management/curb cuts.

Coty Ferguson expressed his concerns that we have not been clear as a community and that he felt there was room for compromise and that the City needs the project. He stated that we just need to approve aesthetic zoning.

There were questions about grading and the student housing being close to completion. J. Freeman explained that the Developer was allowed to move forward with the student housing project and the grading because they were both ways to help the developer move forward with the project and he further stated that the grading was allowed because all state sedimentation and erosion control requirements had been met, but that once students began to occupy the housing there would be site and security safety issues that would need to be addressed.

Board members indicated their support of the project moving forward but that they were in need of a complete set of plans, including a complete signage master plan including site and dimensions for review. There were also concerns that the Developer should consider multi story development to encourage density.

J. Freeman, Planning Director stated that the only item nonnegotiable is the access management.

There was a discussion about number of parking spaces for Phase I and Phase II. Planner D. Cobb indicated that without knowing what type of business and/or the square footage of the buildings/business spaces that it was not possible to determine parking requirements for Phase II.

C. Ferguson made a motion to approve plan with City Council making aesthetic requirements of the Developer. Motion failed to carry due to there being no second.

J. Freeman explained to the Board that Chapter 5 of the Unified Development Ordinance does have a list of standards which would apply to each of the items that the Developer is requesting deviations from on this project.

B. Upton asked if the mattered was tabled for 30 days when would Staff require submittal in order to have time for review before the next meeting. J. Freeman responded that they would need plans by August 6th or 7th to have adequate time to review and provide information to the Planning Board.

T. Ball requested that the Planning Board move to approve with conditions.

J. Freeman explained that the signage plan was not complete and therefore the Board would be unable to approve to move forward to Council due to the fact that there is not enough information. The Applicant requested in their narrative a ground sign for each business which would be a total of 23 signs if approval granted by Council. The Applicant needs to come forward with a complete signage plan. He stated that this is Staff's position but the decision is up to the Board.

J. Freeman further stated that the Planning Department wants very much for this project to move forward and that his department has worked very hard to explain the process to the Applicants. He explained that it is Staff's job to point out to the approving authority where the plan deviates from current policy and what of the deviations can or cannot be approved.

C. Ferguson stated that he would like to see the Board approve with conditions.

G. Daniel said he had a problem with the fact that the Applicant has known about some of the pending issues for 3 to 4 months and now is coming to the Board expecting approval without addressing these issues.

D. Cobb stated that Sharon Thurner, Developer was aware of some of the issues as early as April, those items being requirements for open space, landscaping and internal flow and sidewalks. He further stated that they have known about the storm water requirements for about 30 to 45 days and the traffic impact analysis report has just been received so they could not have had time to address this item.

Drew Dean requested to speak and stated that the project is very complicated and that franchises have very specific requirements and to require that they meet the design standards of Biltmore Village would be complicated and expensive and that the ingress and egress issues are a DOT decision.

D. Loftis made a Motion for a 30 day study period, seconded by N. Davis. Upon vote G. Daniel, N. Davis, D. Loftis and K. Jackson voted in favor and C. Ferguson voted nay. G. Daniel ask J. Freeman, Planning Director if he wanted C. Ferguson to state the reasons for his nay vote and J. Freeman said he does like to be clear on the reasons so that he can present them to Council. He stated that he believes them to be that C. Ferguson believes that the issues could be addressed with conditions especially the architectural and landscaping requirements. C. Ferguson answered in the affirmative.

N. Davis asked J. Freeman if he thought that the ingress and egress issues could be resolved in 30 days and he stated he thought they could be.

G. Daniel stated to the Applicant that the Board has voted to table for 30 days.

C. Consideration of Text Amendment #14-263 Technical Review Committee Amendments.

J. Freeman stated that the proposed text amendment to remove the Technical Review Committee from the review process is being proposed in order to streamline the process for developer and staff. We are also recommending that the architectural exception process be changed to be a responsibility of the Community Appearance Commission rather than Board of Adjustment because it is more of a review process and not a quasi-judicial matter.

After questions and discussion, N. Davis moved to approve, seconded by Kimsey Jackson, unanimously passed.

III. Old Business –

A. Railroad Avenue Small Area Plan Update (2nd Presentation).

J. Freeman presented his draft to the Board in their agenda packets. He informed the Board that after tonight's meeting a notice would go out to the public inviting them to attend a public input session on July 28th in Council Chambers at City Hall to gather feedback from the community.

N. Davis gave ideas for revisions to the plan, including the request for a time line to be included in the plan. She complimented J. Freeman on the clear layout and content of the plan.

J. Freeman gave an overview of the plan for those in attendance that needed an explanation.

Roberta Miller stated that she wanted to thank Josh Freeman for addressing the safety issues in the neighborhood as a part of the plan.

C. Ferguson stated that if there is a special tax imposed on the residents of the Railroad Avenue are that there be a sunset provision considered so that the tax could expire at a certain time without having to take the matter back to Council for hearing. He further stated that a service tax might be another idea for generating tax dollars overall for project funding.

Joe Moore, City Manager explained that it is a Council decision rather to increase or retract taxes and that Council makes that decision once a year.

J. Freeman said so you are suggesting that Council adopt an ordinance that if they impose a special tax that there be expiration on the tax period. C. Ferguson responded in the affirmative.

IV. Adjourn-

There being no further business, C. Ferguson made motion to adjourn, seconded by K. Jackson, the Board voted unanimously to adjourn at 9:26 PM.

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Gary Daniel, Chair

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Janice H. Pinson, Board Secretary