MINUTES
BREVARD PLANNING BOARD
REGULAR MEETING
August 19, 2014

Brevard Planning Board met for a regularly scheduled meeting on Tuesday, August 19, 2014, at 7:00 PM in Council Chambers of City Hall.

Members Present:	Gary Daniel, Chair Demi Loftis Norah Davis Kimsey Jackson Seyl Park
Members Absent:	Coty Ferguson Katie Thompson
Staff Present:	Josh Freeman, Planning Director Daniel Cobb, Planner Janice H. Pinson, Board Secretary
Others:	Sharon Thurner, Developer, Brevard Place James Voso, Mattern & Craig Engineers

I. Welcome and Introduction of Planning Board Members -

At 7:03 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. Request to Amend the Agenda –

Norah Davis requested that the Agenda be amended to move the Railroad Avenue Small Area Plan prior to Brevard Place Planned Development District. Motion was made for the Agenda to be in the following order: Susan Sunflower Presentation, Railroad Avenue Small Area Plan and Brevard Place Planned Development. Demi Loftis ask the Brevard Place Applicants if this would imposition them because the Agenda had been posted. Sharon Thurner, Brevard Place responded “no”. The motion carried unanimously.

II. Approval of Minutes –

Minutes from the July 8, 2014 meeting, Norah Davis requested that the minutes be amended to reflect her request for a timeline to be included in the Railroad Avenue Small Area Plan there was a motion to approve the minutes with changes by K. Jackson, seconded by N. Davis, motion carried unanimously.

III. Presentation and Request for Support of Proclamation – Transylvania Naturally – Susan Sunflower.

S. Sunflower made a short presentation thanking the Board for their support in her obtaining the Proclamation to Plant Natives First which Mayor Jimmy Harris signed on August 18, 2014.

IV. Old Business

A. Railroad Avenue Small Area Plan –

Josh Freeman, Planning Director thanked the public for their support at the input session on July 28th. The survey and in person meetings results were included in the agenda packets. He presented the final draft of the plan and requested the Board's approval to move forward to City Council for their approval.

Josh Freeman further explained that he did not include an implementation plan due to the fact that there was no public support for funding and that he could not commit to a timeline until funding is available. He again requested the support of the Board.

Norah Davis stated based on the survey results that she disagreed with this decision. Josh Freeman further shared that over 600 surveys were mailed and that 50 were received completed.

K. Jackson questioned J. Freeman about a large area of land in the district and why it was not zoned general industrial. J. Freeman explained that it was the largest tract of land in the district but that the topography of the land made it unusable for general industrial.

N. Davis shared that at the Resada Drive property owners meeting the residents felt that if a municipal tax district was approved that it should have a sunset provision in place so it would end after a set period of time.

N. Davis made a motion to approve the plan with the original language as to the municipal tax district, as well as, the addition of a City match of funds 2 to 1.

Motion died due to no second.

G. Daniel, Chair ask if the Board had any further discussion on the draft as presented. Demi Loftis made a motion to approve, seconded by Kimsey Jackson. Seyl Park, Demi Loftis, Gary Daniel and Kimsey Jackson voted for approval of the plan as written. Norah Davis voted nay. Upon request to state the reasons for her nay vote, N. Davis stated that because the plan is excellent in every way but without funding it will just sit on a shelf due to the fact that there will be no funding except for the items that have already been funded in the budget for fiscal year 14-15.

G. Daniel, Chair stated for everyone to keep in mind that this is a preliminary plan and not the final decision and that he encourages anyone with concerns to share them with City Council.

Roberta Miller asked to speak. Ms. Miller a resident of West French Broad Street stated that the public was not sure what the Board was looking at and wanted to know when it would be available to the public.

J. Freeman stated that what the *Board* was looking at was exactly what was on the website with the exception that the municipal tax district was removed. He further stated that they had tried to reflect all the issues in the plan and if they had not to please notify the Planning Department.

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

Daniel Cobb, Planner stated that the information provided to the Board was basically the same with some additions. He made apologies for some of the attachments being labeled incorrectly but stated that this would be corrected before it was presented to City Council.

D. Cobb introduced James Voso of Mattern and Craig as the Traffic Engineer Consultant for the City of Brevard on this project.

D. Cobb presented his Staff Report and Project Review Memo which is attached hereto, incorporated herein by reference and labeled Exhibit “A”. He stated that the five (5) items previously listed still needed to be addressed as follows:

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.

He further instructed the Board that he had made notes on the Staff Report and Review Memo in red and that text in bold red are items that have not yet been addressed by the Applicants. He went through each item with the Board.

He stated that Staff recommends approval of the Brevard Place PDD subject to the following conditions:

Requested revisions to the Traffic Analysis being addressed prior to review by City Council.

Updated version of Exhibit A to Attachment 02 (Brevard Place Preliminary Master Plan) be provided prior to review by City Council.

D. Cobb stated that Staff cannot make recommendations but from a philosophical point he felt he needed to point out that the Land Use Plan 2002 and the current land use plan which has not yet been approved by Council both state that this piece of land should be used as a mixed use boulevard with improved landscaping, design standards, buildings close to the road; no parking in the front of buildings and to discourage strip malls.

The Board had discussions about several concerns: curb cuts and traffic issues noting safety cannot be negotiated; overall architecture; parking in front; erosion control on site; encouragement of the developer to consider 2 story building or facade; improved landscaping; encouraged the use of Tennessee stone throughout the development.

J. Freeman explained that D. Cobb had listed in broad strokes concessions and once again explained that the Planned Development District allows for flexibility in standards in exchange for quality. He stated that the developer could do things such as stream restoration, grant an easement to the City of Brevard for road connectivity to the West Loop.

James Voso was requested to explain the traffic issues to the Board. He stated that a few matters still need to be addressed with some feedback from North Carolina Department of Transportation because US 64 is a state maintained road. The Unified Development Ordinance currently stipulates two (2) access points 400 feet apart. He recommended an analysis that shows the impact of not having a third access and then demonstrate the calculations with the third right in, right out access point. Mr. Voso stated with the data he felt like it would probably be necessary to grant an exception to allow for the third access point.

Josh Freeman, Planning Director stated that the City's traffic standards are very close to NCDOT standards.

James Voso stated that NCDOT recommends on high volume driveways a 600 foot separation but they do allow as little as 100 foot separation in some areas. The more curb cuts that you allow the more traffic challenges you will have.

Daniel Cobb stated that 400 feet separation requirement in the UDO is only for high volume traffic areas.

Gary Daniel, Chair stated that looking at the City of Brevard's Land Use Plan that he did not see how this development meets the plan. He stated it is basically a strip mall with a Bojangles in the main corridor. He further stated that he would consider the parking with beautification but it just seemed as though the intent is to not follow our regulations. G. Daniel further stated that he did not feel like it is meeting the intent of the Land Use Plan as it was written, nor did he feel it meets the ordinance as intended for a Planned Development District.

K. Jackson commented that in the Comprehensive Plan we were interested in multi-use development and this does look like a strip mall with a Bojangles. He further stated that it does not meet the ordinance or the Comprehensive Plan.

S. Park asked S. Thurner the Developer what she planned to do above and beyond to enhance and add value to the community. S. Thurner responded that it started with what they did when they took possession of the property and has continued with her addition of stone to the Student Housing buildings as well as having Bojangles add stone to their design and that they have added the requirement of stone to their covenants. Also that they plan for their retail space would to be comparable to Straus Park.

K. Jackson asked the Developer for a timeline. S. Thurner, Developer stated that the Bojangles would be built right away but that the other retail space would not begin construction until it was 50% of the retail space was occupied. She further stated that she was trying to market to another sit down restaurant and that the parking in front is also for the safety of workers and patrons.

G. Daniel ask Sharon Thurner, Developer, why they decided to go through the Planned Development District process. She stated so that each business could have a sign and to allow for parking in the front.

D. Loftis ask if the Board could approve Phase I only. D. Cobb responded that they would be approving Phase I and Preliminary Master Plan for Phase II.

N. Davis made a Motion to approve Phase I and Phase II with conditions. D. Loftis stated the additional conditions should be: additional architectural features; second floor or second floor façade(s); additional landscaping and less parking in the front.

G. Daniel stated that no one coming in here wants to follow the UDO. He stated that he thinks the plan is a major deviation for minimal return and limited concessions. He further stated that he would be willing to consider it with more substantial consideration to Phase II. He stated that he has a conflict because on one hand he wants it see it work and on the other hand many years have been invested in the plans for the vision of the City of Brevard and the first person that comes along we throw it out the window.

D. Loftis stated that she had the same struggle. K. Jackson stated that 15 months were spent working on the plan and that this does not meet that plan.

Daniel Cobb, Planner, clarified that Phase I includes the Student Housing and the Bojangles. Any further plans would have to come back before the Planning Board. He referred the Board to Attachment 7 of his Staff Report as an idea for modifying the plan, Attachment 7 is attached hereto labeled Exhibit "B" and incorporated herein by reference.

S. Thurner stated that she initially tried to configure the site and have retail space in the rear but she would be unable to lease because the reality in today's market is that everyone wants to be seen.

S. Park stated that Market Street did a good job of tieing in all of their architecture. He does agree with the safety issue of parking in the rear. He further stated that there seems to be very little grass.

S. Thurner stated that they would be willing to add to grass areas, planters with seasonal plantings.

N. Davis restated the Motion to approve Phase I and Phase II with additional conditions as outlined in the Motion which is attached hereto and labeled Exhibit "C" and incorporated herein by reference.

There was further discussion by the Board about their concerns that the plan does not meet the Comprehensive Plan for the City of Brevard.

G. Daniel stated that he could vote to approve with stated reservations. He further stated that Brevard is receiving international and national recognition and is becoming a destination and getting ready to bust open. We hope to be here to see it and would like for the Developer to be here too. G. Daniel stated that he feels it is our responsibility to protect the character of the town.

D. Cobb wanted to clarify to the Board that if they approve the plan then it would move forward to City Council for their approval and that the Board would not have another opportunity to review the plan.

Deborah Hall, Vice President of Business and Finance for Brevard College introduced herself and requested to speak to the Board. She stated that she had been working with the Developer since February and that they have done everything that they said they would do and more. She encouraged the Board to have confidence in the Developer.

Upon vote the motion carried unanimously.

Motion to adjourn by D. Loftis, seconded by K. Jackson and unanimously carried.

Meeting was reconvened at 8:45 PM and called to order by Chair, Gary Daniel.

II. Other Business –

Josh Freeman, Planning Director stated that City Council adopted two (2) resolutions at their last meeting and therefore had created two (2) Task Force to rewrite two (2) plans and that it will require the help of the Planning Board. Council had recommended that two (2) Planning Board members serve on each of the committees as follows: Joint Parks and Recreation Plan and Bike and Pedestrian Plan each of which is required to be completed and ready for City Council's review at their Annual Retreat in January 2015. The projects will require one or two meetings per month and will kick off in September. Norah Davis volunteered to serve on the committee to rewrite the Bike and Pedestrian Plan and Seyl Park and Kimsey Jackson volunteered to serve on the committee to rewrite the Joint Parks and Recreation Plan.

III. Adjourn-

There being no further business, Kimsey Jackson made a motion to adjourn, seconded by Norah Davis, the Board voted unanimously to adjourn at 8:57 PM.

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Gary Daniel, Chair

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Janice H. Pinson, Board Secretary