

MINUTES
BREVARD PLANNING BOARD
MAY 19, 2015

Brevard Planning Board met for a regular meeting on Tuesday, May 19, 2015, at 7:00 PM in Council Chambers of City Hall.

Members Present: Kimsey Jackson, Chair
Demi Loftis, Vice Chair
Katie Thompson
Jimmy Perkins
Seyl Park
Frank Porter

Staff Present: Josh Freeman, Planning Director
Daniel Cobb, Assistant Planning Director
Janice H. Pinson, Board Secretary

I. Welcome and Introduction of Planning Board Members -

At 7:00 PM Chair, Kimsey Jackson, called the meeting to order and the Board members introduced themselves. The Chair called for a moment of silent meditation.

II. Approval of Minutes –

Approval of Minutes of the March 17, 2015 meeting, J. Perkins moved for approval as written, seconded by D. Loftis and unanimously approved.

III. New Business –

1. Application #15-129, Jay Egolf, Proposed Text Amendment to Unified Development Ordinance Chapter 12.11.A.1.

Susan Johnston, Egolf of Brevard stated that their request to amend the ordinance was to allow for them to have a directional sign at their entrance at the stop light. She stated that it is for safety reasons and also because their entrance is before their branding signs, making it difficult for customers and transporters to see before they have passed the entrance and then making it necessary for them to go to the next light at the Marathon station which is also the entrance to the hospital and make a u-turn, and that this traffic signal also has a right directional turn for the traffic leaving the hospital.

J. Perkins stated that the new entrance is a great improvement, safety wise and aesthetically and that this is a valid request.

D. Cobb, Staff, presented his staff report, explaining that Egolf of Brevard is considered a group development and making reference to Chapter 19 of the UDO as it pertains to group developments as follows:

Background: Jay Egolf of Egolf Motors would like to place an additional ground sign at the northernmost entrance of his property located at 1235 Asheville Highway. Egolf Motors is considered a *group development* (defined below), and as such, additional signage is allowed. However, additional ground signs at entrances to group developments are only permissible if they are separated from other ground signs by at least 500'. In this case the proposed location is less than 500', Mr. Egolf proposes to reduce this distance to 300'.

While small directional signs indicating entrances, exists, and parking lot directions are allowed without the issuance of a permit, they may only be up to two square feet per side. Mr. Egolf would like a larger sign (32 square feet) as indicated by his application for a ground sign.

This specific request is to modify UDO chapter 12, section 12.11.A.1.

Discussion: UDO Chapter 19 provides the following definition of a group development:

Group development:

[1.] Groupings of two or more principal structures or principal uses built on a single lot, tract or parcel of land (or grouping thereof) not subdivided into the customary streets and lots and designed for occupancy by separate families, businesses or other enterprises normally permitted within the underlying district (Examples may include, but are not limited to, summer camps, school campuses and hospitals, shopping centers, industrial parks, and apartment complexes, or any other combination of primary structures).

[2.] Individual structures designed to accommodate a variety of distinct uses may be considered as a group development at the discretion of the administrator.

Attachment 01 shows all identified group developments within the City of Brevard. It is important to note that this amendment is specific to regulations regarding PDD's, group developments, and institutional campuses with expansive highway frontages. Traditional commercial properties with one entrance will not benefit from this particular amendment, as it is specific to ground signs along the same street frontage.

In addition to the requirements mentioned above, Planning Board should remember the City's access management standards as detailed in Chapter 9 of the UDO. Wherein the allowable number of driveways per development (potential locations for additional signs) is tightly controlled. For example, only developments with an excess of 500' of highway frontage are allowed two driveways, which would allow a maximum of two signs under the proposed amendment.

Staff / Board Recommendation: Staff does not offer a recommendation on this matter.

The Planning Board's responsibility is to formulate a recommendation to Brevard City Council. The Board's options are as follows:

1. Recommend approval of the proposed text amendments as presented.
2. Recommend approval of the proposed text amendments, with recommended modifications.
3. Recommend denial of the proposed text amendments as presented.

In its review, the Planning Board may request additional information from Staff, and may take up to 45 days to formulate a recommendation to City Council, meaning that the Board must forward a recommendation on or before Thursday, June 25, 2015.

D. Cobb pointed out to the Board the properties that would be affected by the ordinance change.

K. Jackson requested clarification on the distance between entrance and product signage.

D. Cobb explained that it was less than 500 feet, but greater than 300 feet.

D. Loftis ask if there were any plans to do landscaping in front of the property.

S. Johnston, Egolf of Brevard, responded that she knew of none at this time.

D. Loftis ask staff for clarification of landscaping requirements for new development.

D. Cobb explained that the request was not for new development on the property or their probably would be landscaping requirements but that the request was for a sign.

S. Park asked if future group developments would have the same 300 foot requirement.

D. Cobb responded that they would, but that access management requirements would still be required to be met. This would require a large tract of land to accommodate the requirement on the Asheville Highway of 500 feet between driveways and intersections and 400 feet between driveway cuts.

F. Porter requested the exact measurement; D. Cobb measured and stated it is approximately 341 feet. Also including that the setback requirements would be 12 foot from side, 10 foot from front property lines and that clear visibility from stop light would be a requirement.

K. Thompson expressed her concerns for accommodating the request of one property and affecting more properties in doing so.

D. Loftis stated that she would like to send a message to Egolf that there is a need to add landscaping to the front of the property. Stating that tourism is important to Brevard, that Brevard is growing for the better and that Highway 280 is an important gateway into Brevard.

S. Johnston stated that she would certainly convey that message to Egolf.

S. Park made a motion to approve, seconded by J. Perkins, unanimously approved.

2. Proposed Text Amendment – Railroad Avenue Mixed Use Zoning District

J. Freeman gave a brief history leading up to the proposed text amendment, stating that the Official Zoning Map for the Railroad Avenue neighborhood is the map that the Planning Board approved and sent forward for Council's approval. He gave a brief overview of the map explaining the biggest changes, some areas being changed to residential mixed use to allow for greater density and the creation of the new zoning district, Railroad Avenue Mixed Use Zoning District replacing the current neighborhood mixed use (NMX) and general industrial (GI) to again provide higher density residential uses and opportunities to blend commercial and light industrial uses. Staff report is attached hereto, labeled Exhibit "A" and incorporated herein by reference.

J. Freeman went through the revisions page by page for the Board and for the audience.

K. Jackson pointed out to the Board the changes were in blue and mark outs are in red and otherwise there are no changes to the UDO.

J. Freeman stated that there are changes that have nothing to do with the Railroad Avenue Plan but that this was a good time clean up some other items.

J. Freeman went through the use matrix for the Railroad Avenue Mixed Use Zoning District.

K. Thompson voiced concerns about the indoor firing range in a high density residential area. Stating that the residents in this area will already see changes to their neighborhood that are not normal to residential neighborhoods.

J. Freeman explained that the facility would have to be built to comply with the noise ordinance.

Jacob Dinkins, 500 West Probart Street, ask if the public could make comments.

K. Jackson, Chair stated that they may do so.

Jacob Dinkins stated that the neighborhood would not be in favor of a firing range indoor or outside.

Carol Persek, 584 West Probart Street, also stated her opposition to an indoor or outdoor firing range.

F. Porter and K. Jackson both commented that they would not be opposed to an indoor firing range.

D. Loftis stated that she felt the need to listen to the residents.

Roberta Miller, 122 West French Broad Street, referring to the use matrix stated that the headings are very hard to follow and she would not have a problem with an indoor range in a manufacturing district but that the format is hard to follow, therefore making it hard to understand. She also voiced density and setback concerns for the proposed district.

J. Freeman explained that the properties being discussed are not residential properties.

Jacob Dinkins, Carol Persek and Roberta Miller all stated that in the purple district/manufacturing district that they saw no problem allowing an indoor firing range.

S. Park stated he felt the use was more appropriate elsewhere. J. Perkins agreed that it should be left out, that he saw no need to place in this district.

K. Thompson made a motion to remove indoor firing range in this new district, seconded by S. Park. Upon vote, K. Thompson, S. Park, F. Porter, D. Loftis, J. Perkins, voted in favor and K. Jackson opposed.

There was further review and discussion.

J. Perkins pointed out several formatting changes that he felt needed to be addressed to make the document easier to read. He further pointed out the need to clean up inconsistency when making reference to Planned Development District in the document.

J. Leder, 290 Peliter Lane, stated that he represents the Lumberyard. He stated that developers need more flexibility. He personally does not want to see a gun range in the district but also knows that the area needs to remain flexible to the developer that wants to create a business and jobs for the area. He feels that a special use permit would have been a good option for the allowing or not of a gun range.

R. Miller asked Staff how strongly Staff has the capacity to enforce a special use permit.

J. Freeman responded that City Council makes the final decision about enforcement but that in the 10 years he has been with the City approximately 90%.

D. Loftis made a motion to approve with changes that were noted, seconded by K. Thompson. There was discussion about bringing the changes back for review but the Board made the decision to vote on the motion as presented. Motion carried unanimously.

III. Old Business – None.

IV. Other Business-

J. Freeman welcomed, Frank Porter to the Board. Mr. Porter presented a letter of reference to the Board which is attached hereto and labeled "Exhibit B".

VI. Adjourn-

There being no further business, S. Park made a motion to adjourn, seconded by J. Perkins, the Board unanimously voted to adjourn at 8:40 PM.

R. Kimsey Jackson, Chair

Janice H. Pinson, Board Secretary