

**MINUTES
BREVARD PLANNING BOARD MEETING
APRIL 18, 2017**

Brevard Planning Board met for a regular meeting, Tuesday, April 18, 2017, at 6:00 PM in Council Chambers of City Hall.

Members Present: Jimmy Perkins, Chair
Demi Loftis, Vice Chair
Chris Strassner
Keenan Smith
Frank Porter

Members Absent: Katie Thompson

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

I. Welcome

At 6:00 PM, Chair, Jimmy Perkins called the meeting to order and welcomed those in attendance.

II. Introduction of Planning Board Members

Board members and Staff introduced themselves.

III. Certification of Quorum

Chair, Jimmy Perkins confirmed with the Board Secretary that a quorum of the board was present.

IV. Approval of Agenda

D. Loftis made a motion to approve the agenda, seconded by K. Smith, unanimously carried.

V. Approval of Minutes

a. Minutes of the March 21, 2017 meeting, motion to approve by F. Porter, seconded by D. Loftis, unanimously carried.

VI. Public Comment

Roberta Miller, resident of the Railroad/Lumberyard neighborhood presented the board with a letter of concerns about safety and infrastructure in this area, which is attached hereto and labeled, Exhibit "A".

J. Perkins stated that this area is high on the radar and rapidly changing and that he looked forward to working in the future to accomplish things in that area.

VII. New Business

- a. Consideration of Text Amendment to amend the Unified Development Ordinance Chapter 12.11.

Daniel Cobb, Planning Director, presented his staff report, attached hereto and labeled, Exhibit "B".

After discussion and questions by the board, D. Loftis made a motion to approve Staff's recommendation as presented, seconded by F. Porter and unanimously approved.

- b. Transportation Project Updates

Daniel Cobb passed out the North Carolina Department of Transportation presentation from the April 4th meeting. He gave a brief overview of the presentation and explained that the June 15th joint meeting with Transylvania County Planning Board and Transylvania County Transportation Advisory Board would allow for more detail on the subject.

VIII. Unfinished Business

- a. Continuation of Review of 2015 Comprehensive Plan

D. Cobb suggested that the discussion be tabled until the next meeting due to A. Bland's being unable to be present because of the birth of his daughter, Lily.

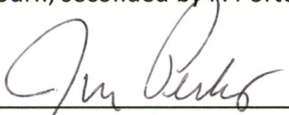
D. Loftis made a motion to table the discussion, seconded by F. Porter, unanimously carried.

IX. Remarks

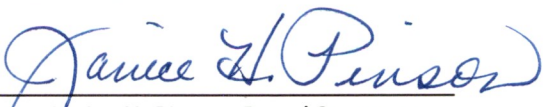
D. Cobb explained that the change to the meeting agenda was in an effort to put the agenda in better order and to be consistent with Council's agenda.

X. Adjourn –

There being no further business, C. Strassner moved to adjourn, seconded by F. Porter, unanimously carried, and the meeting adjourned at 6:34 PM.



Jimmy Perkins, Chair



Janice H. Pinson, Board Secretary

For: The Mayor, City Council, Chief of Police, Public Works Director, Planning Department Director, and the Planning Board.

The names below are the residents and business owners who are sending you the attached expression of their concerns about safety and infrastructure in the Railroad/Lumberyard Neighborhood. We really appreciate your time and attention.

Penny Lucas Davies	West French Broad
Terence Davies	West French Broad
Roberta Miller	West French Broad
Bob Miller	West French Broad
Maggie Howe	West French Broad
Stuart Howe	West French Broad
Diane Daniel	Whitmire
Pat Sales	King
Steve Sales	King
Nancy Knights	Whitmire
George Peterson	West French Broad
Jeff Thompson	King
Leslie Logemann	King
Mark Connelley	King
Leslie Guzman	King
Nic Guzman	King
Keavy McAbee	King
Lee Marchbanks	King
Ruth Rose	Whitmire
Lucy Williams (studio space renter)	Whitmire

**There will be additional signatures from interested residents and property owners which we will add and forward to you. Those above were eager to restart the dialogue about these issues so that they could become a part of the upcoming agendas.*

(Please note: We think David Lutz has already been assessing the flooding issue in the photo to follow.)



Photo of Salem Street after recent rainfall.

At the beginning of **July, 2014**, the Planning Department produced a draft of the basic plan for the Railroad neighborhood—this included Resada Drive, King, West French Broad and Whitmire streets. The following infrastructure comments were the prime focus of a large section of the plan.

“The central goal of this plan is to guide public policies and investments that will support private sector investment, revitalization and redevelopment efforts in the community: robust, high-quality public infrastructure is the single most important tool that the City of Brevard can bring to bear to achieve that goal. Public infrastructure includes streets, sidewalks, and greenways; parks and recreational options; water for fire suppression and human consumption; sanitary sewer; public parking; and curb and gutter drop inlets and underground piping to collect and convey storm water.”

*On the next page of the report: “Potable water and sanitary sewer infrastructure within the study area is among **the oldest such infrastructure within the City of Brevard,** and most of such infrastructure has never been accurately mapped.”*

Over the almost three year period since the report was issued, a few of the neighborhood's infrastructure issues have been partially addressed, mostly thanks to David Lutz's response to repair matters. However, it is clear that while other parts of the City have had major sewer repairs, Railroad area problems still loom large.

One truly distressing problem has been mentioned to City Council and Planning Department for years—the constant heavy truck traffic on these streets that are totally unfit to tolerate the weight and the impact—and the accompanying shaking of the structures that line the streets. Recently, as Caldwell's work has been underway, the three streets—Whitmire, King and West French Broad have seen an increase, not only in basic traffic, but in heavier vehicles including trucks hauling trailers with heavy equipment on them, and enormous semis which are trying to avoid delays on Caldwell.

Property owners in this neighborhood are well aware of the mixed use nature of the zoning, and we don't expect the same degree of traffic and quiet that a totally residential zoning provides. What we are experiencing now is lots of speeding vehicles detouring through these fragile streets, and drivers of bigger vehicles having no regard for the effect their vehicles might have on sewer, water, and gas lines below the surface of these streets. It is very unlikely that the incomes of the owners in this area would allow for secondary housing or for suspending business if there were a major infrastructure failure or a gas explosion from excessive demands put on the roadbeds.

Residents have asked repeatedly if some restrictions could be placed on through-traffic trucks, particularly dump trucks and semis and heavier vehicles. We know that deliveries are necessary and that's fine, but with the upcoming Railroad Avenue Bridge work, the potential for serious damage to our foundations and to the infrastructure that serves our structures will increase what is already an unacceptable amount.

The Planning Board vote on Tinsley Road was definitely the right one for this neighborhood—an additional 80 to 190 residential vehicles, along with all the increases in service vehicles using the neighborhood roads would deal another blow to those who have invested so much in this neighborhood.

We all hear about the need for working class and affordable housing, and this neighborhood is one of the few that has small houses that can or have been rehabbed. Most of the rehabbed houses have had extensive foundation work. It seems totally unfair, and potentially dangerous, to put the efforts to improve the neighborhood at risk by ignoring the repeated requests for some restriction on through truck traffic and speed control. (Something that seems to have been done in other parts of the City, such as the area near the high school.)

Obviously, whether people are in the Railroad neighborhood to patronize music venues, medical facilities, retail businesses, or restaurants, or if they are runners, walkers, or residents, their safety is very important. Thank you for your time and attention to these issues related to the lives and property in the Railroad neighborhood.

STAFF REPORT

Planning Board, April 18, 2017

Title: Text Amendment: UDO Chapter 12 – Signs

Speaker: Daniel Cobb, AICP, Planning Director

From: Daniel Cobb, AICP, Planning Director

Prepared by: Daniel Cobb, AICP, Planning Director

Background

Chapter 12 of the Unified Development Ordinance (UDO) regulates signs within the jurisdiction of the City of Brevard.

The proposal before the Planning Board is to modify Chapter 12, subsection 12.11 – Additional standards for planned development districts, group developments, institutional campuses, and other similar projects.

Discussion

Chapter 12 of the UDO details the standards by which signs on public and private property may be constructed, erected, painted, posted, placed, replaced, or hung. Additional explanation is included in the "purpose" language of Chapter 12.1:

The purpose of this article is to permit such signs in the City of Brevard and its extraterritorial jurisdiction that will not, by their reason, size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety, or otherwise endanger public health and safety; and to permit and regulate signs in such a way as to support and complement land use objectives set forth in the zoning ordinance for the City of Brevard.

It is clear from the purpose stated above that public safety is a key component of these regulations. The amendments as proposed serve to offer additional flexibility for properties zoned institutionally. For example Blue Ridge Community College, Brevard Elementary School, and Brevard High School are all institutional zoning districts. The intent of this district is to allow for the continued and future use, expansion, and new development of academic and religious campuses, as well as government and health-care facilities. Unlike regular buildings which are oriented towards public streets, campus buildings are introverted towards spaces within the campus such as quadrangles.

Vehicular traffic is minimal within such environments. Therefore the safety concerns as stated above are not as significant.

Policy Analysis

There are not specific goals or policies outlined in the City's 2015 Comprehensive Plan that provide guidance on this subject. However, it is Staff's opinion that land development standards are intended to serve the general public and address potential negative impacts caused by others. With the amendments as proposed it is possible signage could increase within institutionally zoned properties, but only to the extent described. This will limit the number of signs according to the nature of the property. If a sign can in no way be seen from a public road, there does not seem to be any negative impacts that could come from additional signage. See Attachment A (beginning on line 50) for the proposed changes.

Recommendation

Staff recommends approval of the amendments as presented.

Planning Board's options are as follows.

1. Recommend approval of the amendments as presented.
2. Recommend approval of the amendments with modifications.
3. Reject the amendment.

Fiscal Impact

None.

Attachments

- A. Proposed Amended Text
- B. Consistency Statement

12.11. - Additional standards for planned development districts, group developments, institutional campuses, and other similar projects.

A. *Ground signs visible from a public street.* One ground sign may be permitted at each development entrance provided that:

1. No part of any ground sign shall be closer than 500 feet to any part of another ground sign within the same development along the same street frontage.
2. No part of any ground sign shall be closer 250 feet to any part of any other ground sign within the same development.
3. A ground sign may be situated at the convergence of two public streets upon which the development fronts but where no entrance is located. However, signs permitted under this provision shall be considered as situated upon both converging streets and shall be separated from all other ground signs within the same development in accordance with 12.11.A.1 and 2., above.
4. Developments that are divided by a public street shall be considered as separate developments for the purposes of this subsection.
5. No other ground signs will be permitted except in accordance with Section 12.11, below.
6. These requirements shall apply regardless of whether such developments are subdivided into individual parcels.
7. All other requirements of this Chapter shall apply to such ground signs. Ground sign size and height requirements shall be the same as the base district within which the development is located.
8. Out-parcels as defined in Chapter 19 of this ordinance shall be allowed one ground sign in accordance with Section 12.9(B).

B. *Wall signs visible from a public street.* Individual businesses and buildings located within planned development districts, group developments, institutional campuses, and other similar projects may have the following:

1. One wall sign which shall not to exceed 50 square feet or 50 percent of the surface area of the wall upon which the sign is located, whichever is the lesser.
2. For buildings having frontage on more than one public right-of-way, signs may be placed on both walls fronting the public right-of-way.
3. One identification sign not to exceed 16 square feet. That sign may be located on the rear or side of the business.
4. One menu reader board for each drive-through restaurant establishment. Menu reader boards shall not be greater than 32 square feet in area or seven feet in height.
5. One suspended or projection identification sign per business establishment, not to exceed eight square feet per side of sign up to a maximum of 16 square feet of

38 aggregate surface area for the entire sign. Suspended or projected identification signs
39 shall be located at the main entrance of the business.

- 40 6. The aggregate area of all wall signs, including building identification signs, business
41 identification signs, identification signs, suspended signs, projection signs, menu
42 reader boards, and product information signs, shall not exceed 50 percent of the total
43 surface area of the front wall space of the business (surface area of said wall shall be
44 computed excluding windows and doors).

45 C. *Internal development signage.*

- 46 1. There shall be no limit to the number signs posted within an Institutional Campus,
47 group development, planned development district, or other similar developments,
48 when such signs are in no way visible from any public street or right-of-way, or any
49 adjacent property.
- 50 2. ~~Ground signs permitted under this provision shall comply with Section 12.11.A.1 and~~
51 ~~2., above.~~
- 52 3. ~~Ground signs permitted under this provision shall be no larger than 32 square feet of~~
53 ~~surface area per side of sign up to a maximum of 64 square feet of aggregate surface~~
54 ~~area per sign, and shall not exceed five25 {feet} in height.~~

- 55 D. *[Compliance:]* Otherwise, signs permitted within the development under this section shall
56 comply with all other requirements of this chapter, and other forms of signage within the
57 development shall comply with all requirements of this chapter.

**STATEMENT OF REASONABLENESS & CONSISTENCY
WITH CITY POLICIES AND PLANS
INSTITUTIONAL CAMPUS SIGN TEXT AMENDMENTS**

NCGS 160A-383 requires that the City's review of the proposed zoning amendment include a written statement analyzing the reasonableness and the consistency of the amendment with any adopted plans and policies of the City. The Brevard Planning Board finds that the proposed zoning amendment is neither **consistent nor inconsistent** with the City of Brevard 2015 Comprehensive Plan.

The amendments as proposed are intended to promote the public health, safety, and general welfare of the City of Brevard. Further, amending the sign ordinance as presented will not cause harm to passing motorists as signs are only permitted subject the standards described when not visible from a public right of way.