

**MINUTES
BREVARD PLANNING BOARD MEETING
DECEMBER 17, 2019**

Brevard Planning Board met for a regular meeting, Tuesday, December 17, 2019, at 6:00 PM in Council Chambers of City Hall.

Members Present: Jimmy Perkins, Chair
Demi Loftis, Vice Chair
Chris Strassner
John Folger
Molly Jenkins

Members Absent: Keenan Smith
Stephanie Smith

Staff Present: Aaron Bland, Assistant Planning Director
Paul Ray, Planning Director
Janice H. Pinson, Board Clerk

Others: Tore Borhaug, Developer
Jeff McDaris, Transylvania County Superintendent of Schools
Michael Goforth, High Country Engineering
Josh Hallingse – Executive Director Transylvania Economic Alliance
John Brown, President Deerlake Homeowners Association
Karla Atkinson, Deerlake Resident
Ken Kolb, Deerlake Resident

I. Welcome

At 6:00 PM, Chair, Jimmy Perkins, called the meeting to order.

II. Introduction of Planning Board Members

The Board and Staff introduced themselves.

III. Certification of Quorum

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

IV. Approval of Agenda

Motion by C. Strassner to amend the agenda to move New Business to first discussion and to add the date of November 19, 2019 which was not included on the agenda under Approval of Minutes. Seconded by D. Loftis, unanimously carried.

V. Approval of Minutes – November 19, 2019

Motion to approve minutes as presented by D. Loftis, seconded by C. Strassner, unanimously carried.

VI. New Business

a. Consideration of Application #REZ-19-008 by Tore Borhaug for Zoning Map Amendment for property currently zoned General Residential (GR), request that all parcels in their entirety be zoned Planned Development District, properties are located on Deerlake Road, identified by PIN #'s 8586-87-0180-000; 8586-86-1995-000 and 8586-86-4675-000.

A. Bland, Assistant Planning Director presented his staff report, stating that he and Paul Ray, Planning Director would both be presenting and answering questions. Staff Report and presentation are attached hereto and labeled, Exhibit "A".

Tore Borhaug requested that Jeff McDaris, Transylvania County Superintendent of Schools speak first and the request was granted. Mr. McDaris explained the importance of affordable housing for the school system. He stated that the beginning teacher salary is approximately \$35,000.00 annually, and that housing costs across the city are very difficult for a beginning teacher. He said that the cost of daycare is also a problem across our county, and is a statewide problem. He shared that many of the teachers who teach in Transylvania County have to commute from other counties due to the lack of affordable housing. He thanked the board for letting him share information with them and asked that they keep these things in mind when forming their decision.

Tore Borhaug gave a history of his meetings with Deerlake residents, and gave a presentation based on their concerns. Mr. Borhaug's presentation is attached hereto, labeled Exhibit "B".

Mr. Borhaug explained that he tried to develop his site plan with consideration for the residents of Deerlake. He explained his willingness to compromise with the community if necessary to move his project forward and offered the following:

Reduce the density down to GR8 until the roundabout is built as follows:

Postponing building Apartment Building 2 and 3 per site plan.

Temporarily reduce the number of living units in Apartment Building 3 from 60 to 30 apartments without reducing the size of the building.

Postpone building quad plex 2, 3 and 4.

After the roundabout is built he would ask for the following to be allowed:
Units postponed above will be allowed to be built.
Apartment building 3 will be allowed to have 60 living units instead of 30.

Chair, Jimmy Perkins called for a brief recess.

Meeting reconvened and Jimmy Perkins, Chair, requested that the meeting be kept to the spirit of the intent, and to not continue the back and forth between Mr. Borhaug and the residents of Deerlake.

Michael Goforth, stated that he is the engineer for the project and that he has been helping Mr. Borhaug design the project. He explained that he has worked for the Deerlake community in the past on various projects. He stated that Mr. Borhaug has chosen an underwater stormwater management system which is a much greater expense than an above ground retention pond, and that the design is adequate to deal with the stormwater and is in compliance with the UDO. Lastly, he said that all roads, sidewalks and stormwater management are all designed to meet the UDO standards.

The Planning Board had no questions for Mr. Goforth.

John Brown, resident and current president of the Deerlake Homeowners Association gave a presentation which is attached hereto and labeled, Exhibit "C". Also included in this exhibit is the list of those who signed up for public comment.

Mr. Brown shared his community's concerns about Deerlake Road being 25 feet in width and in poor condition fronting the Borhaug property.

The residents of Deerlake requested the following be recommended to City Council by the Planning Board:

Request of a different construction route other than Deerlake Road.
Request a traffic study be performed.
Flood prevention plan be required.
Environmental impact study be performed.
Detail buffer design in place before the matter is presented to Council.
Density remain at GR8, and not allow for a greater density of 11.3 to 11.5.

Karla Atkinson, resident of Deerlake and former Brevard Planning Board member asked the board to have a high degree of involvement due to the fact that the Technical Review Committee and Community Appearance Commission no longer exist. She stated that these duties are now the responsibility of the board, and that the decision should wait until all of the information is supplied to make a responsible decision about the project.

Michael Goforth addressed the Deerlake community's concerns about stormwater and flooding. He explained that after walking the property from all angles, studying the

properties, he has designed the stormwater retention system to meet the UDO requirements, and he has tried to mimic the natural flow of water. He explained that the flooding in the Meadows of Deerlake is not anything that can be prevented.

John Brown stated that he did not want to end up going through years of litigation.

Jimmy Perkins, Chair explained that the Technical Review Committee had been reinstated by City Council.

Aaron Bland, Assistant Planning Director explained that Mr. Borhaug's application was accepted prior to the reinstatement, and therefore cannot be subject to review by the TRC.

Ken Kolb resident of Deerlake expressed that the residents support this development, but that they just want to make sure it is done properly.

Josh Hallingse, Executive Director, Transylvania Economic Alliance stated that he was encouraged by the process. Josh grew up in Brevard and is a former resident of Deerlake Village. He explained the hardships he went through after accepting his current position and not being able to find affordable living arrangements for his family. He went on to explain that his father went through the same hardship years ago when trying to find housing in Brevard, and that his family eventually built a home in Deerlake. He shared that he used to walk to school from his home in Deerlake through the Meadows of Deerlake and that at the time it was green space, stating that it has come full circle. He explained that affordable housing has been an issue for 30 years, maybe longer, and he was glad to see Jeff McDaris in attendance to support the school system's need for affordable housing for teachers. He further stated that he believes Mr. Borhaug's project is consistent with the City's Comprehensive Plan.

Mr. Borhaug explained that he did not believe he could financially meet affordable housing needs for the community at large if he is held to the GR8 zoning district requirements.

He stated that he did not believe that any more stormwater will be released from his property than is currently being released, and further that he felt that his project could not be used to change the ordinance.

Mr. Borhaug requested that the Planning Board move forward based on the current ordinance requirements.

Barbara Oldenburger, Deerlake resident expressed her concerns about the stormwater overflow onto Deerlake Road.

Aaron Bland, Assistant Planning Director explained that the project will be required to meet stormwater retention requirements per the UDO. He explained that the City's ordinance requirements are stricter than other municipalities because of the amount of rainfall we receive. He further explained that they will have to meet minimum standards, and that all will be vetted by a third party.

Jimmy Perkins, Chair expressed his appreciation to Mr. Borhaug for reaching out to the community. He praised both parties for their really good and well thought out presentations.

Chris Strassner went over procedures for approval explaining that the board was looking at a preliminary plan, and that any further engineering studies recommended by the board can be done and reviewed prior to the master plan being approved.

There were further concerns of the residents to make sure that the project takes into consideration the 450 residents of Deerlake, and concerns about the reduction in rear setback requirements.

Jimmy Perkins asked Mr. Borhaug to better explain how the property will function.

Mr. Borhaug explained that the community building is a place for the community at large to congregate as they desire. He further explained that he would have to follow Fair Housing Standards to rent the properties and that he uses a property management firm to manage his rental properties.

The board stated that they felt there was support for the project in the room. There was also discussion that the project serves a need for the community, and if the project does not move forward the property could end up rezoned as a commercial property because the surrounding buildings are for example: Walgreens, Blue Ridge Community College.

Questions about below standards parking were addressed by Mr. Borhaug as follows: Elderly people do not get a lot of visitors except for family members. We provide transportation in order to prevent accidents because they do not need to be driving. The trend is that people want to age in place, to stay at home longer and that his current home care services will continue to serve the community by providing in home care services.

Aaron Bland explained that the board typically has 45 days to make a recommendation to Council. That the matter could be tabled longer as long as all parties agree, parties being Tore Borhaug and Deerlake Homeowners Association.

Motion was made by D. Loftis to table, and that Staff ask Mr. Borhaug respond in writing to the requests of Deerlake Homeowners for the Board's review at their next meeting, seconded by M. Jenkins, unanimously carried.

b. January meeting

After discussion the board determined that the January meeting would be rescheduled to Monday, January 13, 2020 at 6:00 PM.

VII. Old Business

b. TXT-19-011 Text Amendment to amend UDO Chapters 2.3.B and 19.3 Establish Build to Line for Downtown.

Motion to table until January 13, 2020 meeting by C. Strassner, seconded by D. Loftis, unanimously carried.

VIII. Public Comment-None

IX. Remarks-

Jimmy Perkins explained that Keenan Smith had resigned from the board and that his position as a City member needs to be filled. He further congratulated Chris Strassner and Stephanie Smith on their reappointment to the board by City Council.

X. Adjourn

There being no further business, C. Strassner moved to adjourn, seconded by M. Jenkins, unanimously carried, and the meeting adjourned at 9:54 PM.

Jimmy Perkins, Chair

Janice H. Pinson, Board Clerk