

**MINUTES
BREVARD PLANNING BOARD REGULAR MEETING
JUNE 22, 2021**

Brevard Planning Board met for a regular meeting, Tuesday, June 22, 2021 at 5:30 PM, in Council Chambers at City Hall.

Members Present: Chris Strassner, Chair
Molly Jenkins
Greg Hunter, Vice Chair
Peter Chaveas
John Schommer

Absent: James Carli

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

Others: Jeremy Patton, Weevil Outdoor Supply Company
Maggie DeLap, Platt Architecture – Boys and Girls Club
Sarah St. Marie – Boys and Girl Club

I. Welcome

At 5:30 PM, Chris Strassner, Chair, called the meeting to order.

II. Introduction of Planning Board Members

The Board introduced themselves.

III. Certification of Quorum

Chair, Chris Strassner confirmed with the Board Clerk that a quorum of the Board was present.

IV. Approval of Agenda

Motion to approve agenda with revisions tabling items c. and e., by M. Jenkins, second by P. Chaveas, carried unanimously.

V. Approval of Minutes

a. May 25, 2021

Greg Hunter made a revision requesting that the language be added verbatim for the first sentence of 3.30.D.1.b., as follows: “All other wire fences, including barbed wire or concertina wire, are prohibited”. Motion to approve the minutes with the revision by M. Jenkins, seconded by G. Hunter, unanimously carried.

VI. New Business

a. Consideration of Request for Non-Contiguous Annexation ANN-21-002 by Joshua Gaura, for property located at 367 Hendersonville Highway, Pisgah Forest, NC and further identified by PIN#8597-64-5558-000.

A. Bland, Assistant Planning Director, presented his staff report a portion of which follows:

Background

Joshua Gaura of Sticky Forest Enterprises LLC, property owner, referred to as “Applicant,” has submitted a request for voluntary non-contiguous annexation of a property located at 367 Hendersonville Highway, identified by PIN 8597-64-5558-000.

Discussion

The property is currently within the City’s ETJ and in close proximity to parcels already receiving full City services. There are sewer and water lines along the parcel’s frontage of Hendersonville Highway.

The parcel is zoned Corridor Mixed Use and the applicant has indicated the desire to use the property for office and retail space for a growing outdoor gear company, including a new 1,800 – 2,000 square foot building. This would result in small increases to the City’s general fund and utility fund revenues. Refer to the attached annexation report for the full financial and service delivery impact analysis.

Policy Analysis

Petition for non-contiguous annexations is governed by North Carolina General Statute §160A-58.1 which authorizes cities to annex non-contiguous areas on receipt of a petition signed by all the owners of real property within the area proposed for annexation.

General Statute 160A-58.1(b) states that a non-contiguous area proposed for annexation must meet all of the following standards:

1. The nearest point on the proposed satellite corporate limits must be not more than three miles from the primary corporate limits of the annexing city.
2. No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except as set forth in subsection (b2) of this section.
3. The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.

4. If the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.
5. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

Regarding number 5 above, the City's satellite annexations currently total approximately 3.0% of the primary corporate limits. The subject parcel is less than 1 acre in size and would only raise this number by approximately 0.02%.

The subject property meets all the above standards and therefore qualifies for annexation under the statutes.

Staff Recommendation

Staff recommends approval of the proposed annexation.

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

1. Recommend denial of the annexation as presented.
2. Recommend approval of the annexation as presented.

Jeremy Patton of Weevil Outdoor Supply Company stated that he is an employee of the company, and that he has known the owner since 2015. He stated that they have several companies, and that they manufacture riding apparel, packs, etc. That Mr. Gaura brings a lot to the table and is very involved in the community.

When asked how many jobs would be created, he responded that he did not know at this time.

Motion to approve by P. Chaveas, second by J. Schommer, unanimously approved.

b. Consideration of Request for Conditional Rezoning REZ-21-003 by Boys and Girls Club, for property located at 11 Gallimore Road, Brevard, NC and further identified by PIN#s 8585-77-6740-000 and 8585-77-9731-000.

L. Huffman presented her staff report which is attached hereto and labeled, Exhibit "A". She explained that the request was for a 15 year period to complete all three phases.

She stated that the Technical Review Committee had reviewed the project and that the Public Works Director noted a sewer main that runs through the property, and that this will have to be addressed.

When asked how the Police Chief's concerns about traffic will be addressed, Ms. Huffman explained that the City will follow NCDOT's recommendations, and that Staff feels that a cross walk signal will need to be installed. Paul Ray, Planning Director stated that he would like to

see a hot signal installed, but that they would be relying on NCDOT's recommendations in the future as the project develops.

Maggie DeLap stated that she is an Architect at Platt Architecture. That she is working with Parker Platt on the project, and that he could not attend because of another commitment. She introduced Sarah St. Marie, Executive Director of the Boys and Girls Club. She stated how excited they are about the project to expand the Boys and Girls Club campus.

Motion to approve Conditional Rezoning with the conditions as recommended by Staff and agreed to by the Applicant, referencing the Statements of Consistency and Reasonableness by M. Jenkins, second by P. Chaveas, unanimously carried.

Parking Discussion agenda item was requested by James Carli, because of his absence the matter was tabled. Motion by P. Chaveas, second by M. Jenkins, unanimously carried.

VII. Public Comment – None.

VIII. Remarks –

Mr. Chaveas asked if the Board would be discussing short term rentals in the future.

Paul Ray explained that at their meeting on June 21, City Council tasked the City Attorney with studying the matter.

M. Jenkins asked if the Board's recommendations for the Rosman Highway affordable housing project were still in place. Paul Ray responded that they are, and further that the Housing Trust Fund Committee is scheduled to meet tomorrow with Jim Yamin the developer of the project to hear his request for the City to contribute an additional \$900,000.00 to his project.

Greg Hunter stated that he has filed an administrative appeal to be heard by the Board of Adjustment on August 10th and that if any board members want to discuss the matter with him they should feel free to do so.

IX. Adjournment

There being no further business, J. Schommer moved to adjourn, seconded by G. Hunter , unanimously carried, and the meeting adjourned at 6:05 PM.

Chris Strassner, Chair

Janice H. Pinson, Board Clerk