

**MINUTES
BREVARD PLANNING BOARD REGULAR MEETING
RESCHEDULED JANUARY 13, 2020**

Brevard Planning Board met for a regular meeting, Monday, January 13, 2020, 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
Stephanie Smith

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

Others: Tore Borhaug, Developer
Davis Whitfield-Cargile, Attorney, Deerlake Homeowners
John Brown, President Deerlake Homeowners Association

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 Tore Borhaug matter prior to TXT-19-011, Build to Line, seconded by D. Loftis, unanimously carried.

V. Approval of Minutes – December 17, 2019

Motion to approve minutes as presented by M. Jenkins, seconded by D. Loftis, unanimously carried.

VI. Old Business

a. Continuation of 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.

Paul Ray, Planning Director presented the Staff report and a history of the application to date.

Paul Ray explained that Staff is requesting that the matter be tabled until March 17, 2020 to allow the developer, Mr. Borhaug to provide an environmental survey as required by UDO Chapter 17.3.

Jimmy Perkins, Chair stated that he understood from information provided to him that the survey could not be completed by March 17, 2020.

Mr. Borhaug explained that the survey would take 4 to 5 weeks, but that his understanding was that after it was submitted the UDO requires a 60 day review period. He agreed to continue the hearing until the April 21, 2020 meeting to allow adequate review time because he wants to make sure everything is done correctly.

Paul Ray, Planning Director explained that he thought the 60 days pertains to the application submittal not the environmental study.

Davis Whitfield-Cargile, Attorney for Deerlake Homeowners Association was allowed to speak and requested that the Board require Mr. Borhaug not only to provide an environmental study as required in UDO Chapter 17.3, but that he also be required to provide an environmental impact statement which the Board can require per UDO Chapter 17.5.m., because of issues raised at the December meeting.

Mr. Borhaug stated that he did not know what an environmental impact statement was and was not prepared to agree to provide one, but that if the environmental impact study deemed it appropriate to have an environmental impact statement, and the Board recommended it, he would have one prepared at that time.

Jimmy Perkins, Chair explained that the application being considered at this point is the rezoning of the property and that requesting an environmental impact statement seems an undue burden on the developer at this point in the process.

Davis Whitfield-Cargile, Attorney explained that UDO Chapter 16.7 provides language that an environmental impact statement can be required during the Planned Development District application process, and that this application is for a Planned Development District.

J. Perkins explained that there are no construction documents to review at this stage in the process, and that requiring the statement seems premature.

Paul Ray, Planning Director agreed that the environmental study seemed more appropriate at this point in the process, and that the environmental impact statement would seem to be a more typical requirement for a final master plan.

After further discussion, Paul Ray, Planning Director agreed to email the NC General Statute for review as to environmental impact studies to the Board for their review.

C. Strassner asked Paul Ray if this was their last opportunity to request the environmental impact statement.

Paul Ray responded that it was not.

Motion by C. Strassner to table the matter to allow the Developer to have an environmental study prepared for review at the Board's April 21, 2020 meeting, seconded by M. Jenkins and unanimously carried.

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

Paul Ray, Planning Director presented the Staff report and noted that if the Board made a recommendation that they would need to include a consistency statement.

After discussion the Board was in agreement to approve the map as recommended by Staff with the addition of including the section noted on the map to the northwest in red that includes two parcels, England to Probart to N. Caldwell. Map attached and labeled Attachment C.

Motion to approve Staff's recommendation with amendment and to refer to Attachment B, the consistency statement by D. Loftis, seconded by C. Strassner, unanimously carried.

Staff report is attached hereto and labeled, Exhibit "A".

VII. New Business

a. Consideration of Text Amendment TXT-19-013 to Amend PDD 2012-05, Safe Inc. of Transylvania County

Paul Ray, Planning Director tabled this agenda item.

b. Election of Officers

M. Jenkins made a motion to keep officers that are currently serving, seconded by C. Strassner, unanimously carried.

c . Meeting Schedule 2020

D. Loftis suggested that the meeting time be moved up to 5:30 PM. After discussion M. Jenkins moved to adopt the meeting schedule with the change of the meeting time to 5:30 PM. C. Strassner seconded the motion, unanimously carried. The meeting schedule is attached and labeled, Exhibit "C".

VIII. Public Comment

John Brown, Deerlake Homeowners Association, President asked to speak. He was asked to only speak to new information that had not already been offered to the Board at previous meetings.

Mr. Brown presented the attached document which is labeled, Exhibit "B" to the Board.

During Mr. Brown's presentation, Paul Ray, Planning Director objected to the presentation being made in Mr. Borhaug's absence since he thought his portion of the meeting was adjourned and had left the meeting.

Jim Grecni, resident of the Deerlake Community requested that the Board consider recommending that the property remain R8 and have an entrance off Highway 64.

IX. Remarks-

Dr. Folger noted that there was a sidewalk being installed along the Dunkin Donuts property and that the Methodist Church could use a sidewalk at the City's new cross walk because there is no sidewalk and the area is always a bog.

Staff stated that Public Works and City Manager make sidewalk decisions, but that this would be noted.

X. Adjourn

There being no further business, M. Jenkins moved to adjourn, seconded by C. Strassner, unanimously carried, and the meeting adjourned at 7:30 PM.

Jimmy Perkins, Chair

Janice H. Pinson, Board Clerk