MINUTES

COUNCIL DOWNTOWN MASTER PLAN COMMITTEE

Wednesday, January 10, 2024 – 4:00 PM
City Hall Council Chambers

Members Present:	Gary Daniel, Chair, Council Member Pamela Holder, Vice Chair, Council Member (Arrived 4:15 PM) Nicole Bentley, Exec Dir. Heart of Brevard Billy Parrish, Heart of Brevard Representative Lee McMinn, Citizen Member Mayor Maureen Copelof, Ex-Officio Member
Staff Present:	Wilson Hooper, City Manager Paul Ray, Planning Director Alex Shepherd, Assistant to the City Manager Becky McCann, Communications Coordinator Emily Brewer, Planner
Guests:	Monica Driscoll
Media:	Jon Rich, The Transylvania Times

A. Welcome & Call to Order

Committee Chair Gary Daniel welcomed everyone and called the meeting to order at 4:07 PM.

B. Certification of Quorum

Quorum was certified by Assistant to the City Manager Alex Shepherd.

C. Approval of Agenda

Motion by Ms. Bentley, seconded by Mr. Parrish to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes of November 8, 2023 Meeting

Motion by Mr. McMinn, seconded by Ms. Bentley to approve the minutes of the November 8, 2023 meeting as presented. The motion carried unanimously.

E. Downtown Tree Update

Mr. Ray informed the committee that he consulted with a landscape architect to assess all species of trees used in the Main St. Project and planned for the Times Arcade Alley Project. He sought advice from Thresa Buckwalter from Traffic Planning and Design, who has extensive experience in roundabout landscaping for us. For the Times Arcade Alley Project, we are using two Trident Maples. Ms. Buckwalter mentioned that these are excellent choices, growing two feet per year with a long lifespan. They display vibrant fall colors and reach a mature height of thirty-five feet. In the Main St. Project, we planted one Sweet Bay Magnolia, and for the Times Arcade Alley Project, we plan to plant two more. Ms. Buckwalter noted that while these trees are excellent, they may be vulnerable to wind damage but are stunning when in bloom. Five Redman American Lindens were used in the Main St. Project, with two proposed for the Times Arcade Alley Project. Ms. Buckwalter emphasized their long history as street trees in the United States and their medium to fast growth rate. Eight American Yellowwoods were planted in the Main St. Project. Ms. Buckwalter mentioned their exceptional flowers, leaves, and typically disease-free nature. Lastly, two White Fringe Trees were planted in the Main St. Project. Ms. Buckwalter described them as adaptable and highly tolerant to urban environments, growing to around fifteen feet tall.

Mr. Daniel asked if he knew the caliper size of the tree that will be placed at Times Arcade Alley.

Mr. Ray said we are not sure until they dig the hole, but we are hoping to install four-inch caliper trees at Times Arcade Alley.

F. Times Arcade Alley Update

Mr. Hooper mentioned that the Times Arcade Alley project will be starting soon. Currently, we are on schedule. However, we do have one potential hold-up due to a property owner not signing the utility easement needed to bury utility wires. Mr. Hooper emphasized that the project will proceed one way or another; the only difference will be whether it's a project that is both functional and visually appealing or one that's solely functional.

Mr. Parrish inquired about a deadline after which we couldn't move forward.

Mr. Hooper replied about three weeks from now, which will give us some time.

G. Sidewalk Usage Discussion

Mr. Hooper mentioned that the sidewalk use standards were something this committee heavily contributed to creating about three years ago at the start of the pandemic. Now that the pandemic is over and the downtown landscape has changed, we wanted to revisit these standards and gather your thoughts on whether they remain relevant or need updating. Additionally, NCDOT is becoming stricter about encroachments into their right of way, so we wanted to initiate a discussion on this matter.

Ms. Brewer outlined the discussion, focusing on sidewalk dining, permanent and semi-permanent objects such as a-frame signs and sandwich boards, as well as merchandise and temporary objects. The City initiated these measures during the COVID-19 pandemic, allowing sidewalk usage, and signed a sidewalk dining agreement with NCDOT, which instructs the City to secure permits, require insurance, and address other related matters. The Main St. improvement project has significantly expanded spaces and amenities, which we aim to protect and utilize appropriately. Additionally, with the consideration of the downtown social district, we want to ensure that existing regulations will continue to serve our needs effectively. The current ordinance for sidewalk dining mandates obtaining a permit and securing insurance. For sign placement, a minimum of five feet of unobstructed sidewalk space for pedestrians is required for all temporary signs. Regarding dining, tables and chairs must be at least six feet from any travel lane, adjacent to the business, and cannot obstruct the fire lane. Barricades are typically necessary for outdoor dining permits when serving alcohol, unless participating in the social district. We will assist ABC permit holders through this process. For semi-permanent and permanent objects, a city permit is required, and in some cases, NCDOT approval for placement is necessary, along with insurance. Holiday decorations are exempt if directly adjacent to the building. Objects existing before the ordinance are grandfathered in. A-frame signs can be placed against the building or in the brick area but must be brought in daily. Merchandise is considered a temporary use and must be removed at the end of each day.

Mr. Daniel inquired about the brick area expressed concerns about people getting out of their cars.

Ms. Brewer responded that this matter is open for discussion today. We aim to review this policy, particularly in light of implementing the social district. Subsequently, we will present an updated policy for your review.

Mr. Daniel further inquired about the City's authority regarding the placement of newsstands.

Ms. Brewer clarified that newsstands are exempt from regulation.

Mr. Hooper clarified that while we are permitted to replace the branded newsstand with something different, we cannot remove them indefinitely.

Ms. Bentley inquired about the distinction between branded newsstands and condo boxes that serve as advertisements for real estate.

Mr. Hooper explained that we could impose similar requirements on condo boxes, but we cannot prohibit them outright.

Mr. Parrish suggested that the bump outs should be off-limits to businesses placing items on them due to the ground cover materials.

Mr. Daniel expressed agreement that bump outs should be off-limits to signs and merchandise from businesses.

Mr. Holder inquired about the purpose of the bump outs.

Mr. Ray explained that the purpose of the bump outs is to support larger and healthier street trees, enhance landscaping, and improve sightlines.

Ms. Brewer then asked the committee for their thoughts on the brick area of the sidewalks.

Mr. Parrish raised a concern about whether brick utility strips create problems in terms of pedestrian movement and access.

Mr. McMinn stated that he does not see a problem with the brick utility strips. However, he identified issues with benches, light posts, signs, trash cans, and flowerpots that obstruct car doors from opening.

Ms. Brewer clarified that the discussion is not solely about the placement of current features. There are requirements for placing permanent and semi-permanent objects, which can be adjusted to improve them.

Mr. Daniel expressed his hope that the brick utility strip does not become cluttered with merchandise, forming a barrier downtown.

Mr. McMinn suggested advising business owners rather than passing an ordinance and creating a do not list.

Mr. Ray highlighted that this is an area for revision and will be brought back to the committee.

Mr. Hooper concluded that guidelines should include revisions to publication display units, prohibiting items being place in the bump out or attached to public structures, and a friendly reminder that business items should be thoughtfully placed in the brick area outside the sidewalk.

H. Additional Comments

Mr. McMinn inquired whether anyone has signed up for the social district.

Ms. Brewer responded that a meeting with the social district ABC permittees is scheduled for this week, and individual meetings with businesses are being arranged to discuss the policy's nuances.

Mr. McMinn then asked if we have hired the additional law enforcement required to police the sidewalks.

Mr. Hooper explained that while one police officer was lost this week, we have gained four officers since the social district discussion began.

I. Set Date for Next Meeting

The next meeting of the Council Downtown Master Plan Committee was scheduled for Wednesday, February 14, 2024 at 4:00 PM.

J. Adjourn

There being no further business, the meeting was adjourned at 5:27 PM.

Minutes Approved - February 14, 2024

X _____
Gary Daniel
Chair, Council Member

X _____
Alex Shepherd
Assistant to the City Manager