MINUTES

COUNCIL DOWNTOWN MASTER PLAN COMMITTEE

Wednesday, June 12, 2024 – 4:00 PM
City Hall Council Chambers

Members Present:	Gary Daniel, Chair, Council Member Pamela Holder, Vice Chair, Council Member (left at 4:45 pm) Nicole Bentley, Exec Dir. Heart of Brevard Billy Parrish, Heart of Brevard Representative Lee McMinn, Citizen Member Parker Platt, At-Large Member (Left at 5:13pm) Mayor Maureen Copelof, Ex-Officio
Staff Present:	Dean Luebbe, Assistant City Manager/Finance Director Paul Ray, Planning Director Emily Brewer, Senior Planner Becky McCann, Communications Coordinator Alex Shepherd, Assistant to the City Manager
Guests:	Vicki Eastland, Land of Sky (via Zoom); Douglas Miller; Kevin MacDonald; Monica Driscoll; Dee Dee Perkins (via Zoom); Leslie Logemann; and Al Platt
Media:	Jon Rich, *Transylvania Times*

A. Welcome & Call to Order

Committee Chair Gary Daniel welcomed everyone and called the meeting to order at 4:00 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 Ms. Holder to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes of May 8, 2024 Meeting

Motion by Ms. Holder, seconded by Mr. McMinn to approve the minutes of the May 8, 2024 meeting as presented. The motion carried unanimously.

E. Traffic Circulation Study

Mr. Ray introduced Vicki Eastland of Land of Sky who explained that Land of Sky submitted an application to NCDOT seeking state planning and research funding to conduct a downtown circulation study. The purpose of the study is to explore different scenarios to [4:20] provide free efficient throughput for individuals and freight traveling along US 64 and US 276 and also to provide safe efficient access to downtown destinations for all modes of travel. This is an opportunity for the City of Brevard and Transylvania County and all the interested parties to look at what could be future transportation projects to potentially make things function better, safer and more efficiently. One potential scenario would be to consider converting the existing unbalanced couplet that serves US 64, that would be the north and south Broad and Caldwell, to convert that to a one-way pair and also provide right-of-way for continuous bicycle and pedestrian infrastructure. That would alleviate the opposing left turns that are slowing the lanes of travel in each direction currently. The goal of the study is to balance the demands of through-traffic to efficiently access points beyond downtown and the need to provide for a safe and connected downtown experience. She reviewed Land of Sky's scope of work in conducting the study and noted that the City and the County, as well as the public will be involved in the process. She emphasized that it is just a study; there is no project funded or plan for construction anytime soon. This is not an NCDOT initiative, but one that Land of Sky suggested to City and County leadership as a way to make a plan for the future and how we might need to address a number of conflicts we are having in the downtown area. She reviewed safety data regarding bicycle and pedestrian crashes in Transylvania County from 2007 to 2022.

F. Times Arcade Alley Update

Mr. Ray provided an update on the Times Arcade Alley project. The City held a stakeholder meeting last week to acknowledge that the project is behind schedule, mostly due to utility delays, and to provide an updated schedule on when certain things will be done. The general contractor was there to answer questions and listen to attendees who requested that certain accommodations be made to try to relieve some of the pressures they are experiencing as a result of the prolonged construction, including more frequent inspections by staff and the contractor for safety hazards, which we have started doing. Most recently the concrete was poured from Jordan St. to the Chocolate Shop and they are making their way toward Main Street. Mr. Ray added that Duke Energy has been the biggest cause of the delays and they have a little more work to do, which will unfortunately cause another overnight power outage. Mr. Ray shared the updated schedule with the committee but noted that we are awaiting a new completion date from the contractor. He noted that with the delay in the project, we are recommending postponing planting of landscaping until the fall to avoid planting in the hottest part of summer. He also noted that when they extend the bumpout on Main Street, which was approved on the Downtown Master Plan, it will take one more

parking space. We recognize that parking is important downtown and one thing we could discuss is shrinking down or eliminating the loading zone on Jordan Street that is rarely used by large trucks and take back two or three parking spaces. There was consensus to shrink the loading zone to accommodate a box truck and take back two parking spaces.

G. Sidewalk Usage Policy

Emily Brewer reviewed an updated version of the proposed amendment to the Code of Ordinances regarding sidewalk usage and obstruction. She explained that NC General Statutes gives municipalities the responsibility to keep public sidewalks "open for travel and free from unnecessary obstructions." This is a staff-initiated staff amendment to ensure that all of the objects on sidewalks are placed in a way where the City is covered by insurance and to make sure we meet minimum clearance requirements. As part of this process Staff consulted with the North Carolina Leage of Municipalities (NCLM), the City's insurance provider, and they advised that, in order to be adequately covered, all items placed in the public rights-of-way need to be permitted with insurance naming the City as an additional insured and an executed hold harmless agreement. The proposed changes also aim to reduce the burden on business owners by making it a one-time permit rather than an annual permit.

She reviewed the following elements of the proposed amendment:

- *Permitted Space for Obstructions on the Sidewalk*: Ms. Brewer noted that the biggest change is that the current regulations have different requirements for merchandise and for permanent or semi-permanent objects that stay outside at all times. The proposed amendment requires a business to secure a permit for a space in front of the establishment where objects may be placed to meet the clearance requirements. In consultation with NCLM and the City Attorney Staff has prepared an updated Encroachment/Hold Harmless Agreement that the City and business owner will sign to place objects in a permitted space. The one big change in terms of the placement of objects is that merchandise and objects would no longer be permitted in the bricked utility strip.

- *Sidewalk Dining*: Sidewalk dining is governed by a separate agreement between the City and NCDOT, which has very specific regulations and permitting requirements. The minor changes include expanding the allowable furnishing materials and consolidating the setback requirements.

- *A-Frame Signs*: No changes are proposed to these regulations at this time. A business will still be able to place its A-frame sign in the bricked area.

Ms. Brewer recalled that the Committee had previously reviewed and discussed draft amendments on April 10th and May 8th and this draft reflects the changes that were recommended. Staff is requesting a recommendation from the Committee today as it is

scheduled to go for public hearing before Council on June 17th. She said it is important to have the public hearing as soon as possible because of the outstanding liability questions, especially as we start moving into the busy season.

During discussion, it was recommended to clarify that the bricked paved area is not considered part of the sidewalk. There was also discussion regarding newsracks and the need to clarify whether they fall under free speech, and it was recommended that Section 62-2 Newsracks should be deleted until that can be clarified. Mr. McMinn moved, seconded by Mr. Platt to recommend approval of the proposed amendment with the removal of Section 62-2 Newsracks. The motion carried unanimously.

H. White Squirrel Debrief

Ms. Bentley said we are working on getting surveys from all of our downtown businesses as well as vendors, and also on balancing the P&L for that event. It was our 20th anniversary and it was a great success. We have 2 full-time and 1 part-time staff members and about 115 volunteers who make that happen every year. She said she has heard from folks that this year was the best maybe ever. We had more vendors than in the past and the variety/quality of the vendors were improved. The downtown business community did a great job of hosting this event and their feedback so far has been overwhelmingly positive. She expressed appreciation to Public Works and their additional efforts to make sure the alley was ready to go and ensure connectivity from West Main St. to W. Jordan Street. She said we do hire our own trash management company for that event, but we are getting to a place where it will likely require that company plus Public Works as we just can't quite keep up with it. The Public Works crew do a lot for me to get ready for that event and I appreciate everything they do to make that happen beforehand and after.

I. Public Comment

Leslie Logemann of Highland Books said Heart of Brevard did a great job with White Squirrel. I came because I wanted to hear about the traffic circulation study, and I am happy to hear that it is just a study and is just starting. It is my understanding that that type of traffic diversion in downtowns isn't ever really something that benefits businesses. I think Hendersonville did something similar and I would be curious what that did to them. The reason for me coming is that, not just to listen to what was being said, but also just to say that Brevard doesn't have a parking problem, we have a walking problem. I think it is really important for me as a business owner to say to you that Brevard has a perceived parking problem, and it is hurting your businesses. At least once a week someone comes in with their hair on fire about the parking. I always refer them to the City, but I have lost customers who tell me they just aren't coming downtown anymore. There are other businesses that are having the same problem. I know there is parking at various lots in downtown and there people with mobility issues, so that is a separate situation. I don't know what the answer is, but as a business owner I would ask that you take what has already been done into consideration before you start diverting traffic. It's a perception and when you have a perception, it becomes reality. I believe communication is the key to everything.

Doug Miller of Newfound Artisan said we have a bike and pedestrian plan already and it does call for a lot of these things that would improve safety and help improve accessibility for a lot of the folks that we're talking about. I urge you to keep looking at that as it is a great plan. I appreciate the effort to add more parking on Jordan Street. I really came to listen to the sidewalk discussion, and I am a little disappointed that there wasn't more consideration to using the brick area as a part of the sidewalk. The strip being excluded from the sidewalks affects us. It is going to affect our ability to have the benches we have there now that will have to go away as a result of this policy if it passes Council. We have people using those benches all the time. There is not a lot of seating on Jordan Street right now as it is and people like to take breaks and have a beverage; we're in the Social District so they can do that now.

J. Set Date for Next Meeting

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

K. Adjourn

There being no further business, the meeting was adjourned at 5:36 PM.

Minutes Approved - August 29, 2024

X Gary Daniel
Gary Daniel
Chair, Council Member

X Denise Hodsdon
Denise Hodsdon
Assistant to the City Manager