Special Use Permit

Proposed Flea Market

Property Address: 284 Railroad Avenue, Brevard, NC

The applicant requests a Special Use Permit to allow a flea market at 284 Railroad Avenue, Brevard, North Carolina. Approval of this permit will allow the continued operation of community markets that have successfully operated at this location while complying with the current Unified Development Ordinance.

The property is an existing commercial site adjacent to the Ecusta Trail and within walking distance of downtown Brevard. Its location, established commercial character, and accessibility by vehicle, bicycle, and on foot make it well-suited for community market activities.

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1. The proposed use meets all requirements and specifications of the Unified Development Ordinance and adopted land use plans and is in harmony with the general purpose and intent of the ordinance.

The applicant requests a Special Use Permit to allow a flea market at 284 Railroad Avenue. Approval of this permit will allow the continued operation of community markets that have already demonstrated success at this location, while ensuring compliance with the current Unified Development Ordinance.

Following amendments to the Unified Development Ordinance affecting farmers' markets at the end of 2025, the applicant met with the Planning Department, the City Manager, and the Mayor to discuss how these community markets could continue to operate at this location. During those discussions, City representatives identified the flea market designation as an appropriate option for the property under the current Unified Development Ordinance. After those discussions, the applicant elected to pursue a Special Use Permit for a flea market, and this application is submitted accordingly.

The property has a proven track record of successfully hosting temporary community markets. The property hosted the weekly Trailside Market from April through October 2025, annual Kids Makers Markets in both 2025 and 2026, and Winter Markets in both 2024 and 2025. These events have provided opportunities for local farmers, artists, craftspeople, makers, food

vendors, vintage vendors, and other small businesses while creating a welcoming community gathering place.

Approval of this Special Use Permit will allow these established community market activities to continue under the flea market designation established in the Unified Development Ordinance, while preserving the purpose, intent, and spirit of the ordinance.

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2. The proposed use will, if developed according to the approved plan, be visually and functionally compatible with the surrounding area.

The proposed flea market is compatible with the existing commercial and mixed-use character of the Lumberyard District. The property is adjacent to Underground Salvage and is surrounded by a mix of commercial, retail, recreational, and community-oriented uses, including direct access to the Ecusta Trail.

The property has become an established community gathering place through the successful operation of the Trailside Market, Kids Makers Markets, and Winter Markets. These events have demonstrated that community market activities are visually and functionally compatible with surrounding businesses and neighboring properties.

The proposed flea market represents a continuation of these established community market activities and will utilize the existing site improvements without substantially changing the property's appearance or function.

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3. The proposed use will not be injurious to the public health, safety, and welfare and will not be detrimental to the value of adjoining property and associated uses.

The property has successfully hosted community markets without significant public health or safety concerns. During the early operation of the Trailside Market, concerns were raised regarding patrons parking along Railroad Avenue. These concerns were reviewed by the City's Safety Committee and subsequently discussed by the City Council. Following those discussions, No Parking signs were installed along the affected section of Railroad Avenue, and patrons no longer parked there.

The property is located approximately 0.1 miles from the Brevard Depot public parking lot, an existing public parking resource within a short walking distance of the market. This nearby

public parking provides additional parking capacity for market patrons while encouraging pedestrian activity between the Depot, downtown, the Ecusta Trail, and 284 Railroad Avenue.

In addition to vehicle parking, the property is directly adjacent to the Ecusta Trail, allowing many visitors to safely access the market by bicycle or on foot. The availability of multiple transportation options supports the site's suitability for this use and helps reduce reliance on automobile parking during market events.

The Trailside Market and Winter Market were both reviewed with Transylvania County to ensure compliance with ADA accessibility requirements. Market layouts were also reviewed and approved by the Fire Marshal to ensure adequate access for emergency vehicles throughout the site.

The applicant will continue to coordinate with the Fire Marshal, Building Official, and other applicable agencies for future market events. Any temporary tents or structures that require permits under applicable building or fire codes, including any tent or temporary structure greater than 120 square feet, must obtain all required approvals prior to installation. Site plans for temporary structures will be submitted to the Fire Marshal for review and approval, as required, to ensure adequate emergency vehicle access and compliance with fire lane requirements, occupancy limitations, fire-resistance ratings, and all applicable provisions of the North Carolina Building Code and Fire Code.

The flea market will continue to be professionally managed with designated vendor spaces, regular maintenance, waste collection, and oversight by the property owner to ensure continued compliance with applicable City ordinances and permit conditions.

The successful operation of the Trailside Market, Kids Makers Markets, and Winter Markets demonstrates that the proposed flea market can continue to operate in a manner that protects the public health, safety, and welfare while supporting local businesses, entrepreneurs, and community activity. Rather than detracting from surrounding properties, the market is expected to continue contributing positively to the vitality of the Lumberyard District and the surrounding commercial area.

Conclusion

The proposed flea market is a continuation of successful community market activities that have already demonstrated compatibility with the surrounding area. The property is uniquely suited for this use because of its established commercial setting, direct access to the Ecusta Trail, bicycle and pedestrian accessibility, and history of successfully hosting community markets. The applicant respectfully requests that the Brevard Board of Adjustment approve the requested Special Use Permit for a flea market at 284 Railroad Avenue.