



**TOWN OF DAVIDSON  
PLANNING BOARD  
216 South Main St.  
Davidson, NC  
November 27, 2017**

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**PLANNING BOARD MEETING - 6:00 PM**

(Held in the Town Hall Board Room)

- I. CALL TO ORDER**
- II. SILENT ROLL CALL AND DETERMINATION OF QUORUM**
- III. CHANGES TO THE AGENDA**
- IV. REVIEW/APPROVAL OF THE MINUTES**
  - (a) October 30, 2017 Minutes
- V. B.O.C. LIAISON REPORT**
- VI. OLD BUSINESS**
- VII. NEW BUSINESS**
  - (a) DPO Text Amendments: Sections 2 & 4
- VIII. OTHER ITEMS**
  - (a) Annual Permit Activity Review
- IX. B.O.C. LIAISON SELECTION**
- X. ADJOURNMENT**

## MEETING MINUTES

Planning Board  
Town of Davidson, NC  
November 27, 2017

A meeting of the Davidson Planning Board was held at 6:00 p.m. in the Davidson Town Hall Board Room.

**CALL TO ORDER:** 6:03 pm

### **SILENT ROLL CALL AND DETERMINATION OF QUORUM**

**PRESENT BOARD MEMBERS:** Kelly Ross (arrived during meeting); Susan Cooke; Mickey Pettus (Chair); Mike Minett; Shawn Copeland; Bob Miller; Matt Dellinger Ellen Donaldson; Lindsey Williams.

**ABSENT BOARD MEMBERS:** Michael Higgs.

**TOWN REPRESENTATIVES:** Travis Johnson, Trey Akers.

### **CHANGES TO THE AGENDA:**

- No changes to the agenda were suggested. Mickey Pettus indicated that he had considered changing the agenda to not require a recommendation for the proposed text amendments, but he noted that – regardless of whether the current or future Board of Commissioners chooses to act on the recommendation – the Davidson Planning Ordinance requires a Planning Board recommendation within 30 days of the Board of Commissioners public hearing, which occurred on November 14, 2017.

### **REVIEW/APPROVAL OF THE MINUTES OF:** October 30, 2017

- Motion to Approve: Bob Miller  
Second: Susan Cooke  
Vote: 9-0 (Minutes Approved; Not Present: Higgs)

**REPORT OF B.O.C. LIAISON:** Sean Copeland described his comments to the Board of Commissioners at their November 14, 2017 meeting in which he relayed the Planning Board's recommendations regarding the Narrow Passage Conditional Master Plan amendment. Members noted that their role is to comment on plans but not approve them; that the Planning Board can find a proposal inconsistent yet still recommend approval; and that the Planning Board should find constructive ways to play a more proactive role in shaping plans and policy rather than reacting to proposals.

**OLD BUSINESS:** N/A

### **NEW BUSINESS**

#### **1. DPO Text Amendments, Sections 2 & 4:**

- Staff Presentation: Trey Akers delivered a presentation describing the proposed amendments, which included: Addressing the compatibility of building types in the Village Infill Planning Area; the inclusion of Government Services as a use in the Village Center

Planning Area; and, the applicability of the Retail Overlay District requirements to Civic/Educational/Institutional buildings.

- Discussion Topics:
  - » Retail Overlay District (ROD): The Planning Board's discussion focused on the implications of modifying the ROD requirements; specifically, members pondered whether allowing a modified requirement for nonprofit Civic/Educational/Institutional uses would encourage the location of these uses in the ROD in a manner directly contradicting the purpose of the ROD. The issue of whether for-profit educational entities could be exempt from the ROD under the proposed text amendment was also discussed. As the discussion evolved, members expressed less concern about the proposed text amendment and instead recommended that staff examine whether the use of the term "Educational" was consistent throughout the ordinance, believing that a clearer description was needed and that this would avoid issues with non-profit compliance in the ROD.
  - » Government Uses: Members also discussed the text amendment regarding Government Uses, noting that it was in response to an unintended omission and that it impacted the proposed Public Facilities (i.e. Town Hall) project, which is currently a non-conforming use. Allowing Government Uses as proposed would render the Town Hall site a conforming use consistent with the Davidson Planning Ordinance's description of the Village Center Planning Area as "the community's commercial, civic, cultural, and transportation hub...with places for public gatherings, civic and cultural events, and public art."
  - » Mixed Village/Multi-family Building Types: Board members reviewed the proposed removal of the Multi-family building type from the Village Infill Planning Area (VIPA) and its replacement with two building types known as Mixed Village housing (i.e. Village Walkup and Village Courtyard building types). Members posed questions relating to:
    - » The measurement of buildings by stories vs. height (VIPA does both), noting that an approach using stories is appropriate but it's helpful to have the height limit to provide a definitive cap on upper stories;
    - » How stories are measured and whether in-ground floors are counted as stories (i.e. raised basements less than four feet exposed at the lowest grade at the front façade do not count as stories);
    - » The impacts of the proposed amendments on relative housing affordability;
    - » Whether the proposed standards would impact the proposed Potts St. development (not unless the application for the current proposal is withdrawn and the proposed amendments are passed by the Board of Commissioners prior to an application being resubmitted);
    - » How parking for residents of Mixed Village housing would be handled, with the Planning Board asking staff to confirm that parking would be handled on-site and recommending that, if the Davidson Planning Ordinance does not currently require this, that parking for residents be treated the same as for Single-family Detached building type structures.
- Public Comment: One citizen spoke, expressing concern about using national data to support local decisions and asking how elderly residents could age in place.
- Vote/Recommendation Summary: By a vote of 9-0, the Planning Board recommended the adoption of the proposed Mixed Village, ROD, and Government Services amendments. The board recommended that staff review the use of the term "Educational" as applied to building use and whether the term is clearly defined and consistently employed throughout

the ordinance; and, whether Mixed Village resident parking would be treated the same as Single-family Detached houses (recommending that if not currently or as proposed, it would be treated equally).

- Motion to Approve/Second:
  - » Kelly Ross/Sean Copeland (Remove of Multi-family);
  - » Mike Minett/Matt Dellinger (Add Mixed Village);
  - » Ellen Donaldson/Bob Miller (Modify Retail Overlay District);
  - » Matt Dellinger/Lindsey Williams (Add Government Use).
- Vote: 9-0 (Approved as Noted Above; Not Present: Higgs)

## **PERMIT & STAFF DEVELOPMENT REPORTS**

### **1. Permit & Planning Staff Reports:**

- Travis Johnson provided a presentation on the Town's annual building permit activity. The presentation reviewed historic data about building permit types, structure size, and cost and how these compare to current trends in building permits for 2017. The presentation also noted the geographic location of permit requests, which were spread throughout town.
- To conclude the presentation Travis Johnson asked "Where do we go from here? What do Planning Board members want us to study with this data?" to which members responded that permit data should be studied to understand:
  - » The location of permits by Planning Area (already tracked);
  - » What specific building types are being constructed;
  - » How many times payment-in-lieu is being utilized rather than affordable housing being constructed on-site;
  - » How we define diverse housing and how much diverse housing is being provided as a proportion of overall development.

**SELECTION OF BOARD OF COMMISSIONERS LIAISON:** Ellen Donaldson was selected to present the Planning Board's DPO Text Amendment recommendation to the Board of Commissioners at their 12/12/17 meeting.

**ADJOURNMENT:** 7:54 PM

- Motion to Adjourn: Susan Cooke  
Second: Kelly Ross

### **APPROVAL OF MEETING MINUTES**



Signature/Date  
Mickey Pettus  
Planning Board Chair

**TOWN OF DAVIDSON PLANNING BOARD**  
**Consistency Statement**  
(DPO TEXT AMENDMENTS – SECTIONS 2 & 4)

**SUMMARY OF ACTION TAKEN BY BOARD**

Vote: 9-0

Description of Action: The Planning Board voted to recommend the proposed text amendment changes as described in the Summary of Petition section below.

**PROPOSAL / REQUEST**

The proposed amendments are being undertaken to address the compatibility of building types in the Village Infill Planning Area; the inclusion of Government Services as a use in the Village Center & Commerce Planning Areas; and, the applicability of the Retail Overlay District requirements to Civic/Educational/Institutional buildings.

**SUMMARY OF PETITION / PROPOSAL**

The amendments propose to:

1. Remove the Multi-family building type from the Village Infill Planning Area;
2. Create a new building type, Mixed Village housing, with two sub-building types – Village Walkup and Village Courtyard;
3. Include Government Services as a use in the Village Center/Commerce Planning Areas;
4. Modify the Retail Overlay District requirements for Civic/Educational/Institutional buildings.

**CONSISTENCY STATEMENT**

In the opinion of the Planning Board the proposed text amendments are consistent with Davidson Planning Ordinance, as adopted by the Board of Commissioners and amended from time to time. The areas in which the amendments are consistent with the Davidson Planning Ordinance are as follows:

▪ **Consistency with the Davidson Planning Ordinance:**

1. The amendments seek to maintain and/or increase the amount of housing choices while respecting the town's historic and existing character by creating new, smaller-scale multi-tenant building types in the Village Infill Planning Area.
  - *We must preserve Davidson's character and sense of community...This sense of community is enhanced by: Neighborhoods welcoming to all citizens...(Preface, p. 1).*
  - *We will create a community where all persons are welcome and are able to fully and safely participate in community life. To encourage diversity of all economic levels, all races and ethnic groups, all ages, and all physical and mental abilities we will: Provide a mixture of housing types and prices in every neighborhood (Preface, p. 2-3).*

2. The amendments propose to formally recognize the important role that Government Services play in the downtown area by permitting the use in the Village Center/Commerce Planning Areas.
  - *The Village Center Planning Area is established to protect and cultivate the unique environment of Davidson's historic downtown. It is the community's commercial, civic, cultural, and transportation hub. The Village Center should include places for public gatherings, civic and cultural events, and public art (DPO 2.2.1.A.Description).*
3. The amendments aim to accommodate non-commercial uses within the downtown's Retail Frontage Overlay District while relieving these uses of a retail requirement and instead requiring such buildings to maintain active, community-oriented spaces on their ground floors.
  - *The Retail Frontage Overlay District is established to create vibrant, pedestrian-friendly streetscapes in mixed-use and commercial environments (DPO 2.3.6.A.Purpose).*

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*Adopted this 27th day of November, 2017.*