

## MEETING MINUTES

Planning Board  
Town of Davidson, NC  
October 30, 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:** 6:08 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.

**ABSENT BOARD MEMBERS:** Ellen Donaldson; Lindsey Williams; Michael Higgs.

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

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

- No changes to the agenda were suggested; however, Mickey Pettus led a discussion outlining the Planning Board's and staffs' roles in terms of development review and recommendations as they pertain to the conditional master plan process. Pettus stated that all participants involved in Planning Board discussions, including citizens, must be treated with civility and respect; he encouraged the pursuit of fact in the board's deliberations.
- Following these comments, members discussed the Planning Board's liaisons' most recent discussion with the Board of Commissioners at the latter's 10/24/17 Work Session. The discussion concerned the Planning Board's consistency statement related to the Davidson Commons East Hotel proposal. Members discussed ways to improve the drafting of such statements, and also discussed the importance of understanding the staff recommendation prior to making a board determination.

### **REVIEW/APPROVAL OF THE MINUTES OF:** September 25, 2017

- Motion to Approve: Mike Minett  
Second: Susan Cooke  
Vote: 7-0 (Minutes Approved; Not Present: Donaldson; Williams; Higgs)

**OLD BUSINESS:** N/A

### **NEW BUSINESS**

#### **1. Narrow Passage Conditional Master Plan Amendment:**

- Staff Presentation: Trey Akers delivered a presentation describing the proposal, including: The history of plan approval and amendment (2015-2016); the site's location; the requested land area addition; and, the requested modifications to three conditions.
- Applicant Presentation: Jeff Watson of Piedmont Land Development spoke on behalf of the project team, explaining their perspective on the proposed amendments. Board members

asked why the multi-use path bridge payment reduction, increase in the number of non-conforming garages, and increase in the number of construction signs were requested.

- Discussion: Afterwards, board members discussed various questions with staff and the project team. The board began with a consistency statement reflecting the staff analysis recommendation to approve the land area addition and increased signage request but not to approve the payment reduction or increase in non-conforming garages. Members mainly discussed the lack of clarity surrounding the extent/potential impacts of the garage request, for which the applicant was not able to provide additional information; and, whether the request for additional signage mattered – half the members present did not mind the request and half did not think it appropriate. As a result, the board voted to approve the land area addition but not the payment reduction, garage modification, or signage request.
- Motion to Approve: Mike Minett  
Second: Kelly Ross  
Vote: 6-0 (Approved as Noted Above; Not Present: Donaldson; Williams; Higgs. Recused: Pettus)

## **2. Davidson Planning Ordinance Text Amendments Overview:**

- Staff Presentation: Trey Akers provided an overview of the proposed text amendments to Sections 2 and 4 of the Davidson Planning Ordinance. The proposed amendments pertain to the removal of multi-family housing from the Village Infill Planning Area (VIPA) and the addition of Mixed Village housing to this area; the omission of Government Services as a use in the Village Center and Village Commerce Planning Areas (VCPAs); and, the requirements for Civic, Educational, and Institutional buildings within the Retail Overlay District. Akers provided an overview of planning in Davidson; a summary of demographic trajectories and housing needs; a review of the proposed standards for mixed housing, including local precedent; and, the proposed revisions to include Government Services in VCPAs and modify the requirements for the aforementioned uses within the Retail Overlay District.
- Discussion: Members asked questions about the town's growth rate as well as what height limits were currently in place throughout the VIPA.

**REPORT OF B.O.C. LIAISON:** This information was covered during the Changes to the Agenda portion of the meeting.

## **PERMIT & STAFF DEVELOPMENT REPORTS**

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

- No permit report provided, but a quarterly report summarizing the permits year-to-date will be provided at the board's November meeting.
- Staff provided brief updates on several projects throughout town as well as the upcoming Mobility Plan, for which funding is currently being verified by various participating agencies.

**SELECTION OF BOARD OF COMMISSIONERS LIAISON:** Sean Copeland was selected to present the Planning Board's Narrow Passage recommendation to the Board of Commissioners at their 11/14/17 meeting.

**ADJOURNMENT:** 9:49 PM

- Motion to Adjourn: Sean Copeland

Second: Matt Dellinger

**APPROVAL OF MEETING MINUTES**

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Signature/Date

Mickey Pettus

Planning Board Chair

## **TOWN OF DAVIDSON PLANNING BOARD**

### **Consistency Statement**

(PROPOSAL: NARROW PASSAGE CONDITIONAL PLAN AMENDMENT – LAND ADDITION)

#### **SUMMARY OF ACTION TAKEN BY BOARD**

Vote: 6-0 [Pettus Recused]

Description of Action: Planning Board members voted to approve the following statements, recommending approval of the land area addition and finding this request consistent with adopted plans; and, not recommending approval of the payment reduction, non-conforming garage, or signage requests and finding these inconsistent with adopted plans/ordinances.

#### **PROPOSAL / REQUEST**

The applicant requests an amendment to the approved Conditional Planning Area that would permit the addition of 1.07 acres to the proposed development. Additionally, the request includes a proposed modification to two conditions and creating a new condition. The amendment does not include a request to increase the number of units originally approved or project density.

#### **SUMMARY OF PETITION / PROPOSAL**

The project proposes to:

1. Add 1.07 acres of open space to the proposed development.
2. Modify two conditions as well as a new condition: A reduction in the previously-approved payment-in-lieu amount for the multi-use path bridge on the southern parcel; an increase in the amount of non-conforming garages permitted within the development; and, an increase in the amount of allowed construction signs from one to two (one for each road frontage).

#### **CONSISTENCY STATEMENT**

In the opinion of the Planning Board the proposed Narrow Passage land area addition and signage request are consistent with Davidson Comprehensive Plan and Planning Ordinance, as adopted by the Board of Commissioners and amended from time to time.

The areas in which the Narrow Passage land area addition and signage requests are consistent with the Davidson Comprehensive Plan and Davidson Planning Ordinance are as follows:

- **Consistency with the Davidson Comprehensive Plan:**

1. The proposal maintains and/or seeks to increase the amount of open space to be provided in the approved plan, which features a requirement for 70% open space via land set asides or payment-in-lieu.
  - *The Comp. Plan cites the loss of open space as an ongoing concern among citizens. Identified open space goals include preserving 50 percent of the ETJ (extra-territorial jurisdiction) as open space, providing public access to 50 percent of the open space in the ETJ, encouraging*

*walkable, mixed-use communities, protecting the scenic quality and character of the rural areas, protecting water quality, and retaining equity for ETJ landowners (p. 23).*

- *Protect and create meaningful open space is cited under the larger livability theme of enabling faithful stewardship of natural assets. Preserving most of the undeveloped rural area is listed as an ongoing initiative (p. 59-60). Constructing more off-road greenways is also listed as an ongoing initiative under this livability theme (p. 60).*

### **INCONSISTENCY STATEMENT**

In the opinion of the Planning Board the proposed Narrow Passage payment reduction and non-conforming garage requests are not consistent with the Davidson Comprehensive Plan or Davidson Planning Ordinance, as adopted by the Board of Commissioners and amended from time to time.

The areas in which the Narrow Passage payment reduction request is not consistent with the Davidson Comprehensive Plan is as follows:

- **Inconsistency with the Davidson Comprehensive Plan:**

1. The proposal requests a reduction in the amount of previously agreed-upon funding to support the expansion of the town's greenway network in accordance with adopted plans, including related facilities such as bridges. This is not consistent with the Comprehensive Plan, which states:
  - *Build off-road greenways, trails, and bike improvement projects per the bicycle master plan (Pg. 51).*

- **Inconsistency with the Davidson Planning Ordinance:**

1. The proposal seeks to increase the number of non-conforming garages, which is not consistent with the Davidson Planning Ordinance requirements.
  - *The ordinance specifies that in all planning areas, if the street-side elevation of the garage is side-loaded, i.e. oriented at least 90 degrees to the street, the attached garage may be flush with, but shall not project in front of, the front façade of the house. If the front property line is at least 75 feet wide and the front façade has a covered porch that covers at least 60 percent of the front façade, then a side loaded garage, i.e. oriented at least 90 degrees to the front façade, may be flush with the front plane of the covered porch but shall not project in front of this plane (4.5.2.F.4).*
2. The proposal seeks to increase the amount of signage marketing the property from one sign total to one sign per road frontage, resulting in two signs total that meet the ordinance requirements for size, shape, display, etc. This request exceeds that amount of signage allowed by the ordinance.
  - *Maximum Number: One project construction sign or one project marketing sign is permitted per development. Project construction sign must be removed before a marketing sign is permitted and erected (11.5.6.G).*

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*Adopted this 30th day of October, 2017.*