

TOWN OF PITTSBORO
PLANNING BOARD MEETING MINUTES
Wednesday, September 3, 2014, 7:00 PM

ATTENDANCE

Members Present: Raeford Bland, Shannon Plummer, Alfreda Alston, Brian Taylor, Carolyn Elfland, Oakley Bennett.

Staff Present: Stuart Bass, Planning Director, Ileana Platon, Administrative Support Specialist

A. CALL TO ORDER

Chairman Bland called the meeting to order at 7:00 pm

B. APPROVAL OF MINUTES

- **Mr. Taylor made motion to approve the minutes for August 4, 2014.**
- **Seconded by Mr. Plummer.**
- **Vote: Unanimous**

C. OLD BUSINESS

1. REZ-2014-02

Hughes Rezoning

Action Needed – Discussion, Recommendation to Town Board

Mr. Bass stated that this was tabled and continued from last month's agenda and the applicant's proposal was to rezone part of his property from R-15 to R-10. Mr. Hughes amended his application at last month's meeting to include his entire property. In the packet distributed tonight there is a revised zoning map showing the entire area of 10.3 acres; otherwise everything else remains the same.

After a brief discussion:

- **Mr. Bennett made motion to adopt the resolution recommending approval of the proposed rezoning and to advise and comment to the Board of Commissioners that the proposed rezoning is reasonable considering the size and location of the tract and the potential benefits to the economic, cultural and urban development of the surrounding community while providing quality design features and sensitivity to the environmental issues.**
- **Seconded by Mr. Taylor**
- **Vote: Unanimous**

Second motion with consistency statement:

- **Mr. Bennett made motion to advise that the proposed rezoning is consistent with the Land Use Plan and other applicable plans and policies officially adopted by the Town of Pittsboro, be it further moved to recommend to adopt the Staff Report which addressed plan consistency and other matters.**
- **Seconded by Mr. Taylor**
- **Vote: unanimous**

D. NEW BUSINESS

1. SD-2013-01

Powell Place, Phase 2D, Final Plat

Action Needed – Discussion, Recommendation to Town Board

Mr. Bass stated that the Developer has submitted a Final Plat for review and consideration. It is a phase of the Mixed Use Planned Development, Powel Place. This Phase totals 34 lots for single family residential structures located off of Millbrook Drive.

Ms. Elfland wanted to know why this was presented to the Planning Board when the Town Board of Commissioners voted to approve the construction and development on November 12.

Mr. Bass said this was approved for section Phase 2D and is a Final Plat review; this is really an administrative detail. The subdivision ordinance provides for conditional approval subject to financial guarantees for final improvements to allow for plat recordation.

Recommendation is for conditional approval and forward to the Town Board of Commissioners, subject to staff approval of the Subdivision Improvement Agreement with appropriate surety.

Ms. Elfland asked if this was one of these situations relative to Pittsboro, where Planning Board's normally don't see something like this again, however, the way Pittsboro's Ordinance is written they always have to?

Mr. Bass stated yes, this procedure was required by our ordinance.

Ms. Elfland expressed her frustration on this practice which happens constantly and cannot figure out why they have to approve something that is already done, and noted that the firm to develop and prepare a Unified Development Ordinance was present.

Mr. Bland requested the representative for Powell Place to provide a review on Phase 2D concentrating on what it used to be like and what it is now, since a majority of the Planning Board Member are new.

Mr. Bryson Powell of East West Partners the developers of Powell Place said that they have been working in Pittsboro since 2003. This is one of the final residential sections of Powell Place that was originally designed for a more urban, dense product with alley loaded town homes and cottage homes, a zero lot line product. However, about a year ago they decided to make it less dense and satisfy the Consumers desire for more traditional single family housing with front lawn garages. The decision was also influenced by input from the Town and the Community stating that the alleys were causing trouble with upkeep, parking and traffic. Because of those variables they have redesigned the Phase from about 65 town and cottage homes to 34 single family homes.

- **Mr. Bland asked for a motion.**
- **Ms. Elfland made motion to approve.**
- **Seconded by Mr. Plummer.**
- **Vote: Unanimously**

2. Unified Development Ordinance Presentation
Clarion & Associates
Action Needed – Discussion

The Town of Pittsboro requested proposals for planning services to assist in the development and preparation of a Unified Development Ordinance. The current Zoning Ordinance was adopted in 1994 and has numerous amendments made to it over the past year. The UDO would represent the first major overhaul of the Town’s development regulations and will work in tandem with the recently adopted Land Use Plan.

The Town has contracted Clarion Associates, LLC to provide professional services for the development of a UDO. They will present some initial information about the project.

Present tonight are: Craig Richardson, Esq., Project Director
Roger Waldon, FAICP, Principal Advisor
Steven Sizemore, Esq., FAICP Principal Advisor

The individuals listed above will be involved with Town officials on this project. Mr. Waldon pointed out procedures that are in the Town’s current Ordinance which do not align best planning practices and needs. This is a great opportunity to pull things together, modernize and have a good set of regulations both in terms of designs, standards and procedures moving forward. The stated

that the Town made it very clear on what they were trying to accomplish when searching for a consultant and requesting proposals.

They will have some questions for the Planning Board to get some preliminary thoughts which will help them as they go forward.

The presentation provided the following information:

Who are Clarion Associates?

Clarion Associates is a midsize planning and zoning consulting firm with about eighteen professionals. They have offices in Chapel Hill, North Carolina and Denver, Colorado with affiliated offices in Cincinnati, Ohio and Chicago, Illinois. The majority of their work is for local governments and it rests primarily in the areas of comprehensively updating development ordinances for communities while also working with them in preparing comprehensive plans and other types of plans. The firm has been in business for 23 years and have updated over one hundred development ordinance throughout North Carolina the southeast and the nation.

Working with them is Ferrell Madden, a form based Coding and Design team which are national leaders in form based coding. They are experienced in preparing market-based form-based codes and urban designers. One of the things they felt would be important for the Town to include in this new ordinance is a form based district or elements in part of the codes specially in the areas like downtown, commercial quarters or the gateways. This is where Ferrell and Madden would be a great asset.

Work Program & Public Involvement:

In reference to where they are today and where they will be going on a newly adopted revised and modern Development Ordinance they have set up a five Task work program. They have estimated about twenty months to go through these.

➤ *Task One: Project Initiation & Scoping:*

Project initiation is for Clarion to get up to speed on development issues in the community and trying to synthesize and gather as much information about what the overriding goals are for the project, whether is to make the codes more user friendly or to incorporate certain design or development principles in certain locations in the community to protect small town character.

In this Task they will review the Land Use Plan, current regulations, and other background documents. They solicit input from staff, review board members, elected officials, citizens, and stakeholder about strengths and weakness of the current of the current Town regulations. Then a reconnaissance of the town will be done and finally they will have public involvement through the planning board, advisory committee, public forum, Board of Commissioners and a website. Once all the information is collected task two will begin.

➤ *Task Two: Code Assessment*

The drafting process is called Code Assessment and it does the following:

1. Identify the key issues and goals for the Community.
2. Do an independent analysis of the current regulations looking at the gaps and differences between what the current regulations are doing and the key goals.
3. Summarize best practices and suggest best approaches to issues.

An annotated outline will be written that will outline these key issues and at the end of this document they will have an annotated outline of what the new code will look like if these key goals are addressed in the way they suggested.

This is an important step where there is a lot more detail about these goals and policy directions and in concept on how they will move forward in terms of the drafting process. There will be meetings with the Planning Board, Advisory Committee and Board of Commissioners. They will gather all the input and make refinements on what they recommend based on the input and direction obtained from the community in this process. At this time they will have a pretty clear direction in terms of what the new development ordinance should do and include.

➤ ***Task Three & Five: Draft UDO with Form-Based District***

This phase is done in two installments. It is done by breaking it down in logical installments like review procedures and zoning districts. For each of these installments they will provide that installment to the public by posting it to the website or in meetings with the advisory committee, planning board, governing board and get input and then move to the next installment.

➤ ***Task Four: Public Hearing Draft of UDO***

Based on the input received from the installments they will make revisions and prepare a consolidated development ordinance which will be ready for public hearings. At this stage there should be numerous amount of public input and significant amount of changes.

Focusing on some issues that Clarion considers fundamental is on code updates and making them more user friendly and deals with process, making them more efficient and then modernizing the developments standards and incorporating best practices and other goals that the Town wants to achieve in basic standards like landscaping and parking. Another of their goals is incorporating some design principles that harmonizes with respect to the downtown, gateways and commercial areas. They are aware in dealing with issues like maintaining small town character or basic development quality issues which is value oriented and is something that they will need the community input. Communities will vary from place to place in terms of the degree and type of design principles that they incorporate in their development code.

One key value that has been picked up from many of the Towns plans and policies and community dialog is placing the importance on preserving and enhancing the environment and focusing on

sustainability principles. The kinds of development wanted should be lasting and respect the environment, being very purposeful about open space. They will focus on open space requirements and parks recreation departments and put some options on the table for consideration. There is also a lot that can be done thru zoning to encourage or require to try and help developments that occurs be taking advantage of alternative energy sources.

Looking at the Town's Land Use Plan there are a lot of good ideas in it and one of the key actions to implement them would be to create a Unified Development Ordinance. The downtown vision plan that was recently put together and adopted has great ideas and principles about some of the approaches in downtown Pittsboro and some of those can be implemented with ordinance provisions and help define the street scape and parking.

After the presentation they advised the Planning Board of a questionnaire distributed which is part of the input process. Its purpose is to provide a set of questions that might assist in thinking about the strengths and weakness of the current regulations, plan goals that need to be implemented, and other issues that need to be addressed in the preparation of the new UDO.

Verbal and written responses to these questions will assist the Clarion team in understanding the particular development and zoning issues in Pittsboro that need to be addressed in the UDO preparation process.

One overriding question they like to ask at the end of the project when the ordinance is ready to be adopted is what changes in the ordinance needs to be made. Was the project successful?

Mr. Bennett said that he would like for the ordinances to be more fluid, easy to read and better understood, at this time research must be done for the most current ordinance. Incorporating the Land Use Plan into the Ordinance would also be helpful. Examples of gaps in the ordinance that need to be addressed are setbacks from our various streams and green space.

Ms. Elfland agrees with the goals mentioned. However, this being a twenty month plan they need to be mindful of Chatham Park which was just recently approved. What is not desired is for all things that are required for submittal to be place all at one and then be rushed for review, in fairness to the Town and Chatham Park, while working on this ordinance Chatham Parks needs to be attentive of where things are going and what is likely to come so as they work on their plans they are aware of our new UDO.

Mr. Bland stated that what they will be doing is beyond synthesizing all the current documents and will come up with new ordinances, additional matters that perhaps embody the synthesization.

Response was that many of the code updates will do that but if something is working well now they will carry it forward. It will be a combination of best practices and new standards.

3. Complete Street Presentation **Fred Royal, Town Engineer**

Action Needed – Discussion

Mr. Royal was not present for the meeting, so this item will be rescheduled for a later date.

F. BOARD MEMBER CONCERN

Mr. Taylor was asked what the Town's plan was for the intersection of Bojangles' and Northwood High School. When the restaurant was first built there was a patrol officer stationed there to avoid drivers making u-turns, however, that is not happening anymore and now that school is back in session its back to the old traffic pattern. Are there any plans to do anything now that there is restaurant traffic, school traffic and soon to be construction traffic from Chatham Park. In the last Commissioners meeting the speed zone was discussed but nothing was mentioned on the traffic congestion. The situation is worse than ever.

Ms. Alston agreed and stated that she encounters that traffic every morning. The left hand turn traffic is long and the light only allows a certain amount of cars through, therefore, many drivers continue north and then make a u-turn to get into the school on the right lane. In addition many other drivers are making a right into Bojangles' and making a u-turn where it is clearly posted that a u-turn is not allowed.

Mr. Culpepper said that they are doing some research on this area and was told that school traffic would back up to the light so that cars could not turn in, however what is hearing now is that drivers are not getting enough time to turn.

Ms. Alston said that apparently the traffic light is motion sensor, therefore, in the morning it will allow about ten cars through and then start blinking having to yield to oncoming traffic. All traffic coming north and south on 15-501 into the school is backing up.

Mr. Culpepper is also anticipating that at some point NCDOT will make a right in, right out on Suttles Road where it runs into Russet Run.

Mr. Taylor made it aware that this is a 55 mile per hour area which makes it even more treacherous.

Mr. Culpepper said that hopefully they will get some feedback on what is happening from residents that drive on that area every morning. They are very interested in correcting the problem because at this point no matter what they do that problem needs to be resolved. They are putting the studies together for discussion with NCDOT.

G. REPORTS AND ANNOUNCEMENTS

None

H. ADJOURNMENT

- **Chairman Bland asked for motion to adjourn.**
- **Mr. Bennett made motion to adjourn.**
- **Seconded by Ms. Alston.**
- **Motion carried unanimously**

Planning Board meeting adjourned at 8:12pm

Next Planning Board Meeting is scheduled for Monday October 6, 2014

Keana H. Paton

Administrative Support Specialist