

MINUTES
Planning Board Regular Meeting
E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue
Thursday, October 20, 2022 at 6:00 PM

Chairman Carroll called the meeting to order at 6:00 PM.

The following Planning Board members were present: Chair Gary Carroll, Vice Chair Diane Westbrook, Cooper Carter, Andy Bleggi and Kim Wade.

Member Parks Cobb was absent.

Diane Westbrook made a motion, which was seconded by Andy Bleggi, to approve the Minutes of the August 2022 regular meeting with one noted correction. The motion carried.

PUBLIC HEARING:

OA-03-22 Amendments to the Unified Development Ordinance

Gary Carroll made a motion, which was seconded by Andy Bleggi, to open the public hearing. The motion carried.

BJ Grieve stated that the Town of Southern Pines Town Council proposed an amendment to the text of the Unified Development Ordinance (UDO) to return the text of UDO §4.2.1(B), (F) and (G) to the text that was adopted on October 8, 2013 restricting buildings in the CB (Central Business), GB (General Business) and PD (Planned Development) districts to a maximum of three (3) stories with the ceiling of the top story not to exceed 38 ft. in height and restricting buildings in the I (Industrial) zoning district to a maximum of four (4) stories.

Planning staff has also included a request from the Town Engineer to amend UDO §4.14.3(A)(3) to exempt single-family residential lots that are developed in accordance with the WPO (Watershed Protection Overlay) from also meeting pre-development/post-development stormwater management requirements.

Discussion ensued regarding building height and orientation.

Diane Westbrook made a motion, which was seconded by Andy Bleggi, to close the public hearing. The motion carried.

ACTION OF THE BOARD:

Cooper Carter made a motion that after reviewing the proposed text amendments to the UDO and considering the criteria for approval of text amendments to the UDO found in UDO §2.17.10, the proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment A of staff report OA-03-22, and further that the Town Council direct the ongoing CLRP process led by the Community Advisory Committee to explore alternative definitions of “building height” that would enhance the text of 2013 UDO for future development.

And, therefore, to recommend approval of OA-03-22 to the Town Council. The motion was seconded by Andy Bleggi. The motion carried.

PUBLIC FORUM:

PD-11-22 Preliminary Development Plan for The Knollwood Tract

Cooper Carter made a motion, which was seconded by Andy Bleggi, to open the preliminary forum. The motion carried.

Mr. Grieve stated that the proposed Preliminary Development Plan will be Phase 2 of the Knollwood Conceptual Development Plan that was approved in 2017. The request is to develop 236 multi-family residential units on 19.57 ± acres within the MUA-1 area of the Conceptual Development Plan, which was approved for up to 250 multi-family units. A new 100' right-of-way off of US Hwy 1 to access the development is proposed. A Traffic Impact Analysis has been submitted and reviewed by NCDOT and NCDOT has stated that they will make sure that the intersection meets their standards when the driveway permit application is submitted. RLUAC has requested that an attempt be made to preserve the large stands of existing older growth trees as much as possible. The Knollwood Tract is located in a High-Quality Watershed but was granted ninety (90) acres of exemption allocation with the CDP. This phase will use approximately 11.10 of the 90 acres.

The applicant is requesting a reduction in parking from 439 to 422 spaces and staff is in favor of that request. The CDP states that additional information regarding noise and lighting will be provided with each PDP application and those details were not addressed in the application. There are edge standards in CDP which require the preservation of existing vegetation or planting of vegetation for 50' in from the edge of US Hwy 1 to provide a visual buffer from what is inevitably going to be a fair bit of development.

Attorney Neil Gosch, present on behalf of the applicant, stated that the request is to develop 236 multi-family units on approximately 19 acres of The Knollwood Tract CDP.

Mr. Bob Koontz of Koontz Jones Design, present on behalf of the applicant and the property owner, stated that the original CDP was approved in 2012 and the master plan was modified in 2017 to allow McDeeds Creek Elementary School. The spine road will run through the development and connect back to Camp Easter Road at some point. There will be a 40' setback of any buildings or parking along the entire frontage. They are requesting a slight parking reduction which will result in approximately 1.78 spaces per unit. They are working with USFWS to update the red cockaded woodpecker habitat study. However, much of the site is just outside of the foraging habitat.

There are 10.98 acres of open space with 9.92 of those acres being useable open space in Phase 2. This phase will include walking trails and interconnected sidewalks, all of which will connect to the multi-use trail that has already been constructed at the elementary school. As development occurs across the street, connections will be made to connect this community to the rest of the development.

Chair Carroll asked if MUA-2 was strictly residential and Mr. Koontz confirmed that it includes residential and the elementary school.

Chair Carroll inquired about the allowable density for MUA-1 and MUA-2 and Mr. Koontz responded that a maximum of 900 residential units are permitted in the overall development and up to 250 of those can be multi-family. There can potentially be 600+ single-family homes on the north side. Up to 300 units are permitted in the MUA-1 so 64 units could still be built in that area, whether they are townhomes, single-family attached or single-family detached south of McDeeds Creek Elementary School in the MUA-1 area.

Chair Carroll asked if another 300 units of assisted living would be permitted in MUA-2 and Mr. Koontz responded that if there were 300 assisted living units they would also be deducted from the 900 total combined units.

Andy Bleggi stated that one of his concerns was if the spine road ends with this phase, children going to the elementary school would have to go out to US Hwy 1 and swing all the way around to get to the school and then back around to the development. Also, the bridge is going to be expensive to build and asked who is currently taking responsibility for building the bridge.

Mr. Koontz responded that the idea is that construction of the bridge will be triggered by the next phase of development.

Andy Bleggi asked if the developer of the next section will be paying for the road or if it will be a shared cost.

Mr. Koontz responded that the way it has been discussed up to this point is that it will be a shared cost.

Mr. Bleggi commented that he would really like for there to be some type of agreement in place.

Cooper Carter asked Mr. Koontz how the current plan for the roads varies from what was shown on the CDP.

Mr. Koontz responded that the roadways shown on the CDP are very conceptual. They are mainly showing is that there will be a connection and also where the access points are.

Mr. Carter asked Mr. Grieve at what point the Town reviews the plans for the spine road.

Mr. Grieve responded that it does need to be a coordinated effort at some point and it would be great if the applicants would present a plan for how the road will eventually get built to the Town Council during the evidentiary hearing.

Mr. Bleggi stated that he likes the development and thinks it works great but it is a life safety issue and asked if the Town could require that some of the funds be allocated to building the bridge and have some type of reserve because at the end of the day the bridge is going to become more expensive to build and he can see the road never being built.

Mr. Carter stated that the Town Council needs to understand where the road is going to touch US 1 and from a safety standpoint, he is concerned about collision on US 1.

Mr. Grieve responded that the Town is going to have a lot of say regarding the apartment complex or other future development entering into the spine road transportation corridor because that is planned to be a public corridor at some point in the future, but the Town will not have a lot to say other than coordinating with NCDOT about the point at which the construction of that intersection with US 1 but it will be up to NCDOT to allow something to occur or to say it triggers something in the future. There is a comment from NCDOT in the agenda packet saying they will take a closer look at it with the driveway permit.

Diane Westbrook stated that she was surprised that NCDOT would allow an entry onto US 1 at that location and asked if a left turn is going to be permitted.

Mr. Bleggi asked Mr. Koontz if the applicant would consider eliminating the access from Hwy 1 and instead come in the back way and spend that money on the bridge.

Mr. Koontz responded they are going to need the access off of Hwy 1 for emergency access and the goal is to set up the adjacent parcel.

Mr. Travis Fluitt, Traffic Engineer with Kimley-Horn & Associates, stated that a left turn lane in the median of US 1 will be added and a right turn lane onto US 1 southbound. There will be separate left and right turn egress lanes. There was some discussion with NCDOT about limiting the left turn out but if you prohibit that movement the only way to go north on US 1 would be to go a mile and a half out of the way instead of just making a left. Short term there are not going to be that many people making the left. This is not a high-volume development. Depending on what is developed, a traffic signal may be needed at some point. As traffic out of the development gets heavier they are not going to want a left turn so they may look at prohibiting that in the future but for the short term NCDOT is okay with leaving it as full access.

Discussion regarding traffic safety continued.

Mr. Fluitt stated that he has been doing this for 18 years and NCDOT is not in the habit of approving inherently unsafe conditions on their roads. They hold to a very high standard and if they do not see an issue with this he takes a lot of comfort in that. If it does create a problem they will be very quick to install a median.

Ms. Wade asked when the traffic analysis was completed.

Mr. Fluitt responded that they did traffic counts in February 2022 at that intersection.

Ms. Wade inquired about the forested area that USFWS encouraged the applicant to retain.

Mr. Koontz responded that a lot of vegetation along the back of the property will remain. USFWS was referring to habitat in the whole area. USFWS will calculate a foraging area and to determine how many trees within that area will have to remain in order to maintain a viable woodpecker habitat.

Mr. Carter asked Mr. Koontz to explain the cost prohibitive nature of extending the service road to Midland Road.

Mr. Koontz responded that there is a huge wetland in the area where the connection would be made.

Chair Carroll stated that going up St. Joseph Road and connecting to Hwy 1 would be an option.

Mr. Bleggi stated that in order to develop much more of the development you would have to cross wetlands so it is going to be cost prohibitive at some time to connect this project to future phases. This will never connect due to the expense.

Mr. Koontz responded that during the CDP that was a real discussion point.

Mr. Grieve stated that he thought that was a great thing to be prepared to address with the Town Council.

Michelle Keiser encouraged the Board to review the history of potential development plans for the property to determine why this tract of land continues to have issues.

Chair Carroll asked Ms. Keiser if she was concerned about the property being partially complete.

Ms. Keiser responded yes, and there are also several empty commercial buildings. She has seen a lot of changes over the past 17 years and not a lot of long-term thinking.

Chair Carroll asked Ms. Keiser if she was aware of the update of the CLRP that is currently underway.

Ms. Keiser responded that she was aware of that project.

Andy Bleggi made a motion, which was seconded by Diane Westbrook, to close the preliminary forum. The motion carried unanimously.

PLANNING BOARD ACTION:

Andy Bleggi made a motion, which was seconded by Diane Westbrook, to adopt the following for transmission to the Town Council as a result of the October 20, 2022 Preliminary Forum on application PD-11-22 Knollwood Multi-Family Project Preliminary Development Plan:

The information presented at the forum indicated that the following issues be considered in applying the criteria for a Preliminary Development Plan to application PD-11-22:

1. The timing of the building of the bridge to connect to the spine road and the funding thereof; and
2. Voicing concerns to NCDOT regarding the safety of the connection to US Hwy 1, particularly due to NCDOT's fixing of the problems on current roads.

The motion carried unanimously.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

Chair Carroll stated that Kim Wade had been appointed for a second term.

Mr. Grieve provided an update regarding the CLRP update process.

ADJOURNMENT

Cooper Carter made a motion, which was seconded by Diane Westbrook, to adjourn the meeting. The motion carried.

The meeting adjourned at 8:25 PM.

Respectfully submitted:

Cindy Williams
Secretary to the Planning Board