

MINUTES
Planning Board Regular Meeting
E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue
Thursday, October 19, 2023, at 6:00 PM

Chair Westbrook called the meeting to order at 6:00 PM.

Members Diane Westbrook, Kim Wade, Andy Bleggi, Matthew Walden, Monica Harvey and Jennifer Garner were present.

Andy Bleggi made a motion, which was seconded by Kim Wade, to approve the Minutes of the September 21, 2023 regular meeting. The motion carried.

PUBLIC HEARING:

PD-04-23 Planned Development District – Conceptual Development Plan for West Southern Pines Center; PARID 00036869, 00031530, 00031531 and 00033141; Applicant: Southern Pines Land and Housing Trust

Chair Westbrook stated that Sandra Dales, Executive Director of the Southern Pines Land and Housing Trust, submitted a Conceptual Development Plan (CDP) application in association with the West Southern Pines Center for African American History, Cultural Arts and Business. The subject parcels are currently zoned Residential Single Family and Facilities, Resources and Recreation. The application proposes a rezoning to Planned Development (PD) with four (4) separate sub-districts to include Single-Family Residential, Neighborhood Business, Open Space and Recreation.

Chair Westbrook confirmed that there were no conflicts of interest among the members of the Board.

Matthew Walden made a motion, which was seconded by Jennifer Garner, to open the public hearing. The motion carried.

Senior Planner Alaina Mallette provided an overview of the request and the staff report accompanied by a Power Point presentation.

Sandra Dales, present on behalf of the applicant, stated that the purpose of the Conceptual Development Plan is to bring economic growth, the history of the neighborhood and cultural arts back to West Southern Pines.

Monica Harvey asked Ms. Dales if she anticipated any issues with Planning staff's recommended conditions of approval.

Christine Dandeneau, architect for the applicant, responded that she had recommended the median for traffic calming to help create a safer, more walkable area and stated that the Trust may be asking the Town to assist with the cost as funds are currently limited.

Andy Bleggi asked if the existing buildings are structurally sound.

Ms. Dandeneau responded that the structures can be retained and just upgraded.

Chair Westbrook inquired about the schedule for development.

Mr. Daniel Bullock of Self-Help, present on behalf of the applicant, stated that the Trust is looking at a number of potential funding sources. Funds for housing would be separate from funds for the renovation of the other buildings.

Ms. Dandeneau stated that they can begin to apply for grants once the CDP is approved.

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

Matthew Walden made a motion, which was seconded by Kim Wade, that after reviewing the proposed Conceptual Development Plan and considering the criteria for approval of a Planned Development District found in UDO §2.18.4(H) and for Zoning Map Amendments found in UDO §2.17.9, the requested Conceptual Development Plan is consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment A of staff report PD-04-23; and therefore to recommend approval of PD-04-23 to the Town Council. The motion carried by a 6-0 vote.

PUBLIC HEARING:

OA-05-23 Proposed Text Amendments to the Unified Development Ordinance (UDO) Regarding the Traffic Impact Analysis Process and Content

Chair Westbrook stated that the text amendments proposed by the Town Engineer were related to UDO §4.12 regarding the applicability of and requirements for the preparation and review of a traffic impact analysis (TIA) or a traffic design analysis (TDA) during the development review process.

Matthew Walden made a motion, which was seconded by Jennifer Garner, to open the public hearing. The motion carried.

Town Engineer James Michel stated that it was suggested during a Town Council budget workshop that maybe the Town should explore engaging an outside engineering firm to assist the Town with the review of TIA's. The Town hired an outside consultant to run a test case, which is still in process,

but it has definitely opened their eyes to some of the potential benefits and has led to several of the proposed text amendments. Mr. Michel reviewed the proposed amendments to UDO §4.12 Transportation/Traffic Analyses and responded to questions and concerns of the Board.

Scott Weaver, 776 S. Ridge Street, stated that developers pay for a TIA up front and asked if it would be better for the Town to dictate who the developers use or hire an additional engineer.

Mr. Michel responded that the Board could recommend that the concept be investigated further to the Town Council if that is how the members wanted to proceed. All engineers are held to ethical standards but there is also something called engineering judgment. If you ask an engineer to design a bridge, two different engineers will come up with two different designs. It does not necessarily mean that either bridge is wrong.

Andy Bleggi asked Mr. Michel if he liked the idea of having an independent engineer review TIA's and he responded that he liked the idea of having someone experienced in reviewing and performing TIA's reviewing them.

Mr. Bleggi asked if Mr. Michel had any idea what the cost of the review would be and Mr. Michel respond that the average is estimated to be approximately \$6,000.00.

Jennifer Garner inquired about the number of TIA's that would likely be reviewed in one year and Mr. Michel estimated five to six.

Mr. Bleggi stated that the cost would not be an issue for large developers but it would be for smaller ones.

Chair Westbrook stated that she liked the idea of quality assurance.

Jennifer Garner made a motion, which was seconded by Matthew Walden, to close the public hearing. The motion carried.

Board discussion ensued.

Andy Bleggi made a motion, which was seconded by Jennifer Garner, 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 Plan for the reasons set forth in Attachment A of staff report OA-05-23;

and further that the following other matters were considered by the Planning Board and shall be added to Attachment A by Town staff as part of the Planning Board's written recommendation to the Town Council:

Section 4.12.2(A)(2)(b) be changed from 300 or more trips per day to 500 or more trips per day and 30 peak hour trips per day be changed to 50 peak hour trips per day; and subparagraphs A(3) and (B)(7) be changed to state that the cost of third party review shall be borne by the Town;

and therefore, to recommend approval of OA-05-23 to the Town Council. The motion carried by a 5-1 vote with Kim Wade being opposed.

UNFINISHED BUSINESS:

Alaina Mallette stated there would be a November agenda meeting.

NEW BUSINESS:

Planning Director B.J. Grieve provided an overview of the initial steps being taken with regard to implementation of the 2040 Comprehensive Plan and addressed questions from the Board.

PUBLIC COMMENT:

Mary Rocca asked if the Board would consider amending its motion to so that a traffic study for a development that would generate between 30 and 50 peak hour trips could be required at the Town Engineer's discretion.

Mr. Michel responded that with regard to a TDA, the Town Engineer has the authority to require a TIA and the UDO provides enough flexibility to enable the Town to require a more in-depth analysis. He stated that the Town Council will make the final decision to approve or deny the proposed text amendments.

Andy Bleggi made a motion, which was seconded by Matthew Walden, to adjourn the meeting. The motion carried.

The meeting adjourned at 8:40 PM.

An audio recording of the meeting and any related PowerPoint presentations are available upon request.

Respectfully submitted:

Cindy Williams
Secretary to the Planning Board