



PRELIMINARY STAFF REPORT

Date: September 18, 2023
To: Community Meeting Attendees
From: Lindsay Laird, Senior Planner
Re: Clark Row - Conditional Planning Area

INTRODUCTION

APPLICANT INFO

- **Applicant & Owner:** Thomas F. Clark Revocable Trust
- **Site Designer:** Orsborn Engineering Group
- **Architect:** Housing Studio
- **Location(s):** 121-129 N Main St (Parcel ID 00325706)
- **Planning Area(s):** Village Center; Village Height Overlay; Village Parking Overlay; Local Historic District Overlay; Retail Frontage Overlay
- **Area:** 0.235 acres

OVERVIEW

The Thomas F. Clark Revocable Trust proposes a Conditional Planning Area to redevelop the existing storefront buildings at 121-129 N Main Street in Davidson, NC (Parcel ID 00325706). The project lies in the Village Center Planning Area and multiple overlay districts including the Village Height Overlay, Village Parking Overlay, Local Historic District, and Retail Frontage Overlay. Preliminary plans include the preservation of existing storefronts and a new four-story addition at the rear of the existing buildings. The project envisions commercial/retail uses on the first and second floors with up to seven residential units on upper floors.

A formal application has not yet been submitted for this project. Because preliminary plans include modifications to standards in underlying planning areas, the proposal must follow the Conditional Planning Area process outlined in Davidson Planning Ordinance (DPO) Section 14.6. This process requires a Public Input Session, Planning Board recommendation, and approval by the Board of Commissioners. The building must also receive a Certificate of Appropriateness from the town's Historic Preservation Commission.

PRELIMINARY CONDITIONS

The project team requests a conditional map amendment for the following reasons:

- **Building Height:** Buildings in the Village Height Overlay District are limited to three stories in height (see DPO Section 2.3.2). The purpose of the Village Height Overlay District is to preserve the character of Main Street Davidson by limiting building heights in the historic downtown

core. The project team proposes a four-story addition, with the second and third stories setback a minimum of twenty (20) feet from the front façade, and the fourth story setback a minimum of thirty (30) feet from the front façade.

- **Parking:** A minimum of two parking spaces per 1,000 SF of new commercial area and one parking space per residential unit is required. Thus, the project requires a minimum of 42 parking spaces. The project team proposes that no parking be provided on site nor any payment in lieu (PIL) be required.
- **Transportation Impact Analysis (TIA):** A TIA is required for all commercial projects that exceed 10,000 square feet. The proposed project will create +/-20,939 SF of new commercial area, thus triggering the TIA requirement. The project team requests that the TIA requirement be waived.
- **Easements:** The project team requests a permanent easement on Town of Davidson parcel ID 00325705 and 00325725. The purpose of the easement adjacent to the Post Office courtyard is for construction purposes, a permanent means of ingress/egress to the lobby of the building, footing and foundation below grade, lighting for the building, cantilevered balconies and canopies on upper levels with a 6' maximum depth, and outdoor dining. The purpose of the easement to the rear of the property is for construction purposes, footing and foundations below grade, and for the building to meet building code requirements for the percentage of allowable openings in the façade.

A complete list of draft conditions is available on the Clark Row Conditional Map Amendment development project webpage.

INTERDEPARTMENTAL REVIEW

Town of Davidson staff performed a preliminary interdepartmental review and have the following information to share. Comments are organized by department and/or topic if multiple departments commented on a feature.

ECONOMIC DEVELOPMENT:

- **Economic Development Goals:** This proposed plan directly addresses the Davidson Economic Development Strategic Plan Guiding Principle 2; Leverage assets by encouraging new investment where the community has already provided public/private investment and infrastructure; and, Guiding Principle 3; Build value from within by supporting those businesses or assets who have been long-term contributors to our community.
- **Fiscal Impact:** This project covers all the costs to serve the development plus generates an additional \$9,750 on an annual basis to the Town of Davidson.

PUBLIC SAFETY:

- **Police:** The Police Dept. mentioned parking for residents of the building as a primary concern. From a life safety perspective, the biggest concern is with access to the building during peak periods for emergency vehicles, especially to upper floors. The main access to the building from the Post Office Plaza may pose some additional logistic challenges for emergency responders.
- **Fire:** The Fire Dept. listed the following items to be considered:
 - **Knox Box:** It appears that this project will be required to provide a Knox Box as outlined within the North Carolina Fire Code. This will be addressed with the Mecklenburg County Fire Marshal's Office (MCFMO) during preliminary plan review.
 - **Emergency Access:** As was discussed in earlier conversations with the design team, emergency apparatus access to the rear of the structure will be paramount. The design of the building shows 4 floors at the rear. Fire department must have access for life

safety requirements. Again, this was discussed with the project team at an earlier date. The scope of the emergency access will have to meet the parameters of the North Carolina Fire Code. The MCFMO will address this once the project goes before county plan review.

- FDC/ Water Supply: FDC requirements and location will be addressed by the MCFMO during plan review. There was initial discussion about the potential of adding a municipal fire hydrant within the project proximity to ensure that adequate fire protection is achieved. Again, this will be addressed at the county level during initial plan reviews.

HOUSING & EQUITY: Per DPO 5.2.A.1, “Developments with 7 or fewer residential units must either provide one affordable unit or make a payment in lieu to the Town. The payment in lieu must be paid at the time an application for a building permit on any of the lots or units is made. If the payment is in lieu of providing a fraction of one unit, the calculation shall be prorated as appropriate.” It is appropriate for the project team to meet this ordinance requirement with a payment in lieu.

PARKS & RECREATION AND PUBLIC WORKS: Because an easement is requested on town-owned property, it may be appropriate for the project team to add some type of small park feature elsewhere in the Post Office Plaza. There were also concerns around trash/recycle collections for tenants and where containment devices will be located/accessed.

RELATED TOWN GOALS

The following lists Town of Davidson’s adopted plans and policies applicable to the proposed project.

- **General Planning Principles (2020)** include tenets to guide decisions and development in Davidson. Principles relevant to this proposed development are listed below.
 - We must preserve Davidson’s character and sense of community.
 - Village-scale design
 - A walkable and historic downtown and adjacent neighborhoods
 - Walkable neighborhoods and centers with community open space and parks that are integral parts of town
 - A street, sidewalk, and greenway network that knits the community together
 - Engaging public spaces and celebrating historic resources throughout town
 - Local businesses that invest in our community
 - We must preserve and enhance Davidson’s unique downtown.
 - Build upon its status as Davidson’s social and civic center and create additional compelling public spaces to foster interaction among residents
 - Strengthen existing businesses by increasing customer accessibility
 - Preserve historic buildings and encourage stewardship of these unique resources
 - Encourage development of new businesses within vacant spaces to meet the needs and desires of a diverse community
 - Encourage a mix of uses in each building to create a vibrant and active downtown
 - We must provide a safe and efficient transportation network for all users by supporting active transportation, transit, and new mobility options.
 - Commercial centers that support walking, bicycling, riding public transit, and using other alternative modes as viable and safe options to these destinations
 - We must wisely manage the finite land and natural resources in the town’s planning area.
 - Growth that occurs in appropriate locations that are most suitable for development and away from important open spaces
 - Development that uses green design, energy conservation, and flexible spaces

- We must manage growth and support appropriate economic development so the town can provide public facilities and services apace with development.
 - Decision-making based on the long-term goals of the comprehensive plan rather than a short term benefit
 - Establishment and maintenance of an adequate commercial tax base
 - A healthy diversity of uses in walkable neighborhoods
 - Economic growth that supports our sense of community and placemaking
- We must maintain Davidson’s unique sense of place through quality architecture and design.
 - The built form is an integral component of place-making
 - Private buildings and public infrastructure must work together to shape public space and to build community character, including through sustainable design practices
 - Davidson’s cultural heritage and historic resources will be actively preserved and maintained
 - The design of our public spaces, parks, and plazas will encourage social interaction, cultural experiences, and recreational opportunities
 - Public art will animate our civic spaces
- We must consider the town’s fiscal health when making decisions.
 - Fiscal information will be used to inform decisions made about new developments and public investments.
 - A balanced fiscal approach will take into account that not all community priorities will have net positive fiscal impacts.
 - Decision-making will encourage a fiscally-sustainable balance between the residential and commercial components of the town’s tax base.
- **Davidson’s Comprehensive Plan (2020)** includes the following goals and policies relevant to the proposal.
 - Goal 2.3 A Sustainable Built Environment: *Davidson’s integrated natural and built environments will embody the tenets of social, environmental, and fiscal sustainability. The town will be a leader of green building design and climate responsibility.*
 - Policy 2.3.2: Promote Innovative Green Building Tools and Approaches
 - Goal 2.4 A Preserved Historic Fabric: *Davidson will celebrate its unique architectural and cultural history through preservation initiatives and designing new buildings, spaces, and landscapes that complement the existing historic fabric and leave an inspiring building legacy.*
 - Policy 2.4.1: Support Preservation of Historic Properties and Districts
 - Policy 2.4.2: Minimize Impacts on Existing Historic Resources
 - Policy 2.4.3: Guide New Development Using Historic Patterns
 - Policy 2.4.4: Encourage Reuse and Rehabilitation
 - Goal 3.4 Efficient & Well-Managed Parking: *The town’s supply of parking will be sufficient for the community’s needs while also aligning with the desire for Davidson to remain a pedestrian-oriented community.*
 - Policy 3.4.1: Maximize Use of Existing Parking Supply
 - Policy 3.4.3: Encourage Appropriate Amount of Parking
 - Policy 3.4.5: Encourage Bicycle Parking

- Goal 4.2 A Thriving & Balanced Economy: *Davidson will have a thriving and resilient twenty-first century economy, with a diversity of jobs available to workers with a variety of skillsets, occupational interests, and workplace environments.*
 - Policy 4.2.2: Build Upon and Leverage Existing Assets
 - Policy 4.2.3: Support Independent Business Development
- Goal 5.3 Long-Term Fiscal Health: *Davidson will ensure long-term fiscal balance through land use and growth decisions that are informed by long-term fiscal impacts of development.*
 - Policy 5.3.1: Promote Use of Existing Resources
- **Davidson’s Strategic Plan** identified the following goal areas for 2022-23:
 - **Goal A:** A Well-Planned and Livable Community – Create well-planned, dynamic community places with connected progressions between them.
 - **Goal B:** Historic Preservation – Preserve our historic properties that contribute to our vibrant and unique community and honor the history of the lived experiences of our residents.
 - **Goal C:** Connecting People and Places – Expand, improve, and diversify the town’s transportation network to provide residents and visitors with safe, convenient, accessible, reliable, and efficient multi-modal travel choices to connect people across the community.
 - **Goal D:** Affordable Living, Equity, and Inclusion – Work together to create a culture of belonging, address our past inequities, provide opportunities for all, treat everyone with respect and dignity and recognize every voice.
 - **Goal E:** Sustainability and Natural Assets – Preserve Davidson’s natural assets, and develop, implement, and actively encourage innovative solutions to environmental, energy, and climate- based challenges.
 - **Goal F:** Economic Development - Leverage town resources to attract diverse commercial development that contributes to Davidson’s unique local economy and supports new initiatives that create jobs and opportunities for the community.

PROCESS/NEXT STEPS

The project will follow the Conditional Planning Area process:

- Pre-development Consultation with the Board of Commissioners [June 2022]
- Pre-concept Meetings [2022; Spring/Summer 2023]
- Community Meeting [Sept. 18, 2023]
- Board of Commissioners Update [Oct. 10, 2023]
- Pre-submittal Meeting: Town/County [TBD]
- Application Submittal [TBD]
- Preliminary Sketch Plan Review [TBD]
- Public Input Session [TBD]
- Schematic Design Plan Review [TBD]
- Planning Board Recommendation [TBD]
- Board of Commissioners Public Hearing [TBD]
- Board of Commissioners Decision [TBD]

RESOURCES

- Davidson Planning Ordinance (2015): www.townofdavidson.org/planningordinance
- Clark Row Development Project Webpage: www.townofdavidson.org/clarkrow