

CLARK CENTER

Conditional Planning Area – Individual Building

Proposed Site Notes + Conditions

08.21.2023

INTRODUCTORY COMMENTS

All statements below are proposed for consideration as part of the Conditional Planning Area – Individual Building. They are based on ordinance requirements, staff review, precedents, and relevant plans/policies. Plans referenced include the [Comprehensive Plan](#) and [Mobility Plan](#).

GENERAL PROVISIONS

- 1. Purpose:** The purpose of the Conditional Planning Area application is to allow modifications to specific Davidson Planning Ordinance (DPO) requirements for the underlying Village Center Planning Area, Local Historic District Overlay, Village Parking Overlay, Village Height Overlay, Retail Frontage Overlay, and other DPO provisions in effect on the application acceptance date (TBD). The site plan, associated notes, and provisions are conditions of approval and based upon the Davidson Planning Ordinance, adopted plans, and policies. Unless otherwise specified, the ordinance in effect on the date of application acceptance shall control.
- 2. Modifications:** The site configuration is schematic in nature and may be altered and/or modified during the Site Construction Document process in accordance with ordinance requirements and Planning Director approval.
- 3. Utilities:** All required CLT Water documents, including an approved Capacity Assurance Letter, must be provided for Construction Document approval.

DRAFT CONDITIONS & COMMENTS

- 1. Planning Areas (DPO 2):** The project shall comply with the standards set forth in DPO Section 2 for the underlying Village Center Planning Area, Local Historic District Overlay, Village Parking Overlay, Village Height Overlay, and Retail Frontage Overlay with the following exceptions:
 - a. Village Height Overlay District (DPO 2.3.2):** The Village Height Overlay District limits a building to three (3) stories in height. 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 permitted height for the proposed project shall be four (4) stories provided that the second and third stories are setback a minimum of twenty (20) feet from the front façade, and the fourth story is setback a minimum of thirty (30) feet from the front façade.

- b. Village Parking Overlay District (DPO 2.3.3):** The purpose of the Village Parking Overlay District is to provide an option for payment in lieu (PIL) of providing required onsite parking in the downtown core. The project team proposes that no PIL be required and that no parking be provided onsite (See also item 4a).
- 2. Affordable Housing (DPO 5):** The project shall comply with DPO Section 5.2.A for affordable housing. Developments with 7 or fewer residential units must either provide one affordable unit or make a payment in lieu (PIL) to the Town. A prorated PIL shall be made prior to any building permit approval for the proposed project.
- 3. Subdivision & Infrastructure Standards (DPO 6):** The project shall comply with the standards set forth in DPO Section 6 and requests the following exceptions:
 - a. Transportation Impact Analysis (DPO 6.10):** A Transportation Impact Analysis (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.
- 4. Parking & Driveways (DPO 8):** The project shall comply with the standards set forth in DPO Section 8 with the following conditions:
 - a. Auto Parking:** A minimum of 2 parking spaces per 1,000 SF of new commercial area and 1 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. In lieu of providing parking on site, the owner will work with the Town of Davidson officials to secure off-site parking location for valet parking options for restaurant guests.
 - b. Bicycle Parking:** Required bike racks shall be located at the side and rear of the building.
- 5. Tree Canopy Landscaping & Screening (DPO 9):** The project shall comply with the standards set forth in DPO Section 9 with the following conditions:
 - a. Preservation of Existing Vegetation (DPO 9.3.2):** The tree preservation requirement in the Village Center Planning Area is 10%. Based on the existing tree canopy coverage of +/- 810 SF, the preservation requirement is +/- 81 SF. The project team shall make a PIL for required tree preservation in the amount of \$486.00 (81 SF x \$6 PIL for each SF = \$486). This PIL shall be made prior to site construction document approval.
 - b. Tree Coverage (DPO 9.3.1):** The entire project area can be excluded from the canopy coverage calculation per DPO 9.3.1.A, thus the required canopy coverage is zero (0) SF.
- 6. Lighting (DPO 10):** All lighting installed on building exteriors shall meet or exceed the back-uplight-glare (BUG) or calculation methods specified in LEED v4.1 Sustainable Sites Light Pollution Reduction (Comprehensive Plan Policy 2.3.2/Action 2.3.3).
- 7. Watershed Protection (DPO 17):** The project team shall comply with DPO Section 17 and shall pursue built-upon area averaging in accordance with DPO Section 17.8. A BUA Averaging Certificate from the Watershed Review Board shall be secured prior to site

construction document approval. Additionally, the project team shall install innovative stormwater management strategies on site (Comprehensive Plan Policy 2.3.2/Action 2.3.4).

8. Historic Preservation (DPO 22):

- a. Historic building facades and architectural features along Main Street, the majority of the form of the side elevation adjacent to the Post Office courtyard, and the original footprint of at least 50% of the interior heated floor area shall be retained or replicated in the new building design.
- b. The existing half-circle windows on the side elevation adjacent to the Post Office, which are not part of the original design of the building that were added at a later date, will be preserved and used on the interior of the building.
- c. A Certificate of Appropriateness (COA) shall be required in accordance with DPO Section 22.7.

9. Easements: The project team requests a permanent easement on Town of Davidson parcel ID 00325705 and 00325725 in accordance with Exhibit 1.0. 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.

10. Public Safety Access: The project shall provide a Knox Box for access by Fire Dept. personnel in the event of an emergency in all non-single-family residential buildings. The project shall provide a code and/or key fob for access to the building interior by Police Dept. personnel in the event of an emergency. If a code is used it must not be changed unless a security breach occurs, and an updated code must be shared with the Police Department. If a key fob is used, then a fob must be provided for each patrol car.