

PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on June 14, 2016 at 9:00 A.M., in Room 201 of the Municipal Building.

Planning Commission Members Present: Ms. Alcine , Mr. Braun, Mr. Fluhrer, Ms. Hicks, Ms. Jeffreys, Mr. Lyle, Chair Schuster, Mr. Swink, Mr. Terando and Mr. Tomasulo

Staff Members Present: Planning Director Bowers, Assistant Director Crane, Planner Dillard, Planner Hodge, Planner Bradshaw, Planner Hill, Deputy City Attorney Botvinick and Administrative Support Staff Eason.

AGENDA ITEM #1: INVOCATION

AGENDA ITEM # 2: PUBLIC COMMENT

None

AGENDA ITEM # 3: COMMITTEE REPORTS

AGENDA ITEM # 3 (A): COMMITTEE OF THE WHOLE

AGENDA ITEM # 3 (A) 1: TC-5-16 – New Bern – Edenton NCOD – Townhouses

The request amends the Part 10A Raleigh Unified Development Ordinance, in Neighborhood Conservation District to add provisions for fee-simple townhouse lots within portions of the existing New Bern – Edenton NCOD.

Text Change Committee Chair Braun gave a brief overview of the case regarding affordability; relation to pending transit decision; NCDOT concerns; accelerating property value and 3-0 vote to move forward without recommendation.

There was discussion regarding clarity on the neighborhoods concerns of NCOD.

Mr. Braun responded regarding the intent of the NCOD and suggested questions be raised to staff.

Danny Coleman spoke in opposition of the case regarding concerns of affordable housing.

Terry Becker, vice- chair of North Central CAC and also representing Historic Oakwood spoke regarding wanted the commission to take another look; text would affect Historic Oakwood negatively.

Gail Weisner spoke in opposition regarding concerns for the people who have been pushed out of neighborhood and cost.

Stuart Cullinan, applicant, spoke regarding the reasons for this request being more about ownership, a particular ownership model that is not being represented in the neighborhood and that being a market issue.

Planner Hodge gave a brief overview regarding the NCOD being meant to regulate and spoke regarding the effect on the text change.

Ms. Jeffreys stated that if ownership is the intent of this request, then why the proposed change and also was concerned that developer brought forth text change that effects the majority of overlay districts that was put into place by the neighborhood without any visible support from the neighborhood.

There was further discussion regarding how many properties would be affected.

Mr. Bowers responded that it would be a fairly significant number of properties affected.

Deputy City Attorney Botvinick spoke regarding regulations of lot size is the driving force.

Ms. Alcine asked if approval of the text change would the commission be agreeing to the text language.

Ms. Alcine made a motion to strike a sentence contained within the fourth “whereas” clause. She asked that the following language be removed from the first sentence: “the provision of more affordable dwelling units as compared to case of single family detached housing or the case of multifamily construction;” Mr. Braun seconded the motion.

Mr. Braun made a motion to approve the request with the removal of the language from the “whereas” clause. Mr. Fluhrer seconded the motion. Ms. Jeffreys and Ms. Alcine were opposed. The vote was not unanimous 7-2.

AGENDA ITEM # 3 (A) 2: TC-9-16 – North Ridge South NCOD – Built Environmental Characteristics and Regulations

The request amends the Part 10A Raleigh Unified Development Ordinance, in Neighborhood Conservation District to add neighborhood built environmental characteristics and regulations for the North Ridge South neighborhood.

Chair Braun gave a brief overview.

Brian Edlin representing the applicant gave a brief overview of the case.

Carol Jones, representative of North Ridge South spoke regarding being in agreement with the request.

Jennifer Malloy spoke in favor of the request.

Jennifer Reynolds spoke in favor, has lived in North Ridge over 20 years and does not want lots subdivided, is asking for support of this request.

Steve Joplin spoke in favor regarding this preserving the neighborhood and is asking for permanent protection.

Michael Birch representing some neighbors who are in opposition requested that if the NCOD text was adopted, that the minimum lot size and minimum lot width should be consistent with the minimum standards contained in the covenants. The covenants require a minimum lot size of 10,000 square feet and a minimum lot width of 85 feet. He stated his clients are not opposed to NCOD but just the standards.

Mr. Swink made a motion to approve the case. Ms. Jeffreys seconded the motion. The vote was unanimous 9-0.

AGENDA ITEM # 4: NEW BUSINESS

AGENDA ITEM # 4 (A): PUBLIC HEARING

AGENDA ITEM # 4 (A) 1: SP-13-16 – Family Dollar Trawick Road

The site is located on the east side of Trawick Road between New Bern Avenue and Lake Woodard Drive, outside the city limits.

This request is for construction of an 8,320 square foot retail establishment on property that was previously zoned Industrial-1 CUD in the Part 10 Zoning Code. This request was submitted prior to the effective date of the Unified Development Ordinance, and therefore is being reviewed and approved under the previous Part 10 Code standards. This proposal will involve the recombination of 3 parcels (1724563801, 1724564801, 1724565801) into one, 1.36 acre parcel. The lot south of Amber Lane (Pin Number 1724563599) will remain vacant to achieve stormwater compliance. Planning Commission approval is required due to this being a retail use within 400' of a residential use.

Planner Bradshaw presented the case.

Patti Hilburn representing the applicant gave a brief overview of case regarding stormwater; underground detention.

There was discussion regarding adding U-shaped bicycle racks. Mr. Terando asked if the applicant would be willing to add one U-shaped bicycle rack to the site plan.

The applicant responded they were willing to add the bike racks

Reginald and Mrs. Overton spoke regarding concerns of protective yard and protecting their privacy and are requesting additional privacy fencing for protection.

Dawn Case spoke regarding concern of the element it will bring to neighborhood; flood plains; and who pays for flood damage if and when there is a major storm.

Ms. Hilburn responded that the applicant would be willing to install a privacy fence limited to length of building. There was some discussion about the location, height and materials of the fence. The applicant

stated that the fence would be constructed on the western half of the northern property line, exclusive of the existing easement that runs north-south. The fence would be six feet in height, solid and made of wood. The fence would tie into the northwest corner of the building.

Mr. Swink made a motion to approve with amendments to site plan. Ms. Hicks seconded the motion. The vote was unanimous 9-0.

Mr. Schuster was excused at 10:34 am.

AGENDA ITEM # 4 (B): ZONING CASES

AGENDA ITEM # 4 (B) 1: Z-9-16 – Sandy Forks Road

The site is located on Sandy Forks Road, south side, at its intersection with Shawood Drive.

This request is to rezone property from Residential-4 (R-4) to Office Mixed Use-3 stories-Conditional Use (OX-3-CU).

Planner Hill presented the case.

Michael Birch representing the applicant gave a brief overview of the case.

Mr. Tomasulo arrived at 10:43 am.

There was brief discussion regarding changing this to a single use corridor and CAC meeting occurring before the public hearing. The applicant stated that the CAC has not yet voted on this request; however, a vote should be taken prior to the public hearing.

There was no public comment.

Mr. Lyle made a motion to approve. Mr. Fluhrer seconded the motion. The vote was unanimous 9-0.

AGENDA ITEM # 4 (B) 2: Z-10-16 – Old Poole Road

The site is located on east side Old Poole Road, south of intersection with Poole Road.

This request is to rezone property from OX-3-CU and R-6 to CX-3.

Planner Dillard presented the case.

Mr. Lyle was excused at 10:55 am.

Madison Gardener representing the applicant spoke regarding reason for the request being to enhance environment and keep it clean.

Mr. Terando strongly suggested applicant change the case from general use to conditional use. He noted that the existing zoning contains zoning conditions, and while some of the conditions may be outdated, the ability to include zoning conditions with the request would be beneficial.

There was no public comment

Mr. Terando made a motion to hold at the table. Ms. Hicks seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 4 (B) 3: Z-11-16 – N. Rogers Lane

The site is located on east and west side of Rogers Lane, north of I-495 overpass.

This request is to rezone property from PD to RX-4-CU.

Planner Dillard presented the case.

Tony Tate representing the applicant gave a brief overview of the case and requested a deferral.

Mr. Terando made a motion to defer. Mr. Fluhrer seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 4 (C): REQUEST FOR WAIVER OF 24-MONTH WAITING PERIOD

AGENDA ITEM # 4(C)1: Z-1-14 –Falls of Neuse Road, between Dunn and Whitting Drive

The site is located on Falls of Neuse Road, east side, between Dunn Road and Whittington Drive. The proposed request is for a waiver of the 24-month waiting period for reapplying for rezoning (subsequent to the denial of rezoning case Z-1-14 by City Council on May 12, 2015). Granting this request will allow submittal of a new rezoning request for any combination of the subject properties before May 12, 2017.

Planner Hill presented the case.

Isabel Mattox representing the applicant gave a brief overview of the request.

Mr. Swink made a motion to approve the request. Mr. Fluhrer seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 4 (D): TEXT CHANGE

AGENDA ITEM # 4 (D) 1: TC-10-16 – Oberlin Village NCOD – Building Height

The request amends Section 5.4.3.12.f. of the Part 10A Raleigh Unified Development Ordinance, Oberlin Village Neighborhood – Maximum Building Height, to clarify that 25’ is the maximum building height in the NCOD. This text change would clarify that the maximum height in the overlay district is “25 feet and two stories,” which would replace the current wording of “25 feet or two stories”.

Planner Hodge presented the case.

Mr. Fluhrer made a motion to approve the case. Ms. Jeffreys seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 5: APPROVAL OF MINUTES - Approval of May 24, 2016 Planning Commission Meeting Minutes.

Mr. Terando made a motion to approve. Mr. Fluhrer seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 6(D): REPORT FROM THE PLANNING DIRECTOR

Mr. Crane gave brief update of recent City Council actions.

- Z-1-16 – Strickland Road – withdrawn by applicant
- Z-5-16 – Rock Quarry Road. - P.H. closed
- Z-6-16 – Leesville Road – P.H. closed
- Z-8-16 – Wake Forest Road. - Approved
- Z-4-16 – Oberlin Rd. - Approved
- CP-1-16 – Omnibus Text Amendment – referred GNR – meeting 6/15
- CP-2-16 – Economic Development Element – P.H. June 21

AGENDA ITEM # 7: ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:28 a.m.

Respectfully,

Ken Bowers

Planning Director

Transcribed by: Chenetha Eason