

COUNCIL MINUTES

The City Council of the City of Raleigh met in a regular session at 1:00 p.m. on Tuesday, April 18, 2017 in the City Council Chamber, Room 201 of the Raleigh Municipal Building, Avery C. Upchurch Government Complex, 222 W. Hargett Street, Raleigh, North Carolina, with the following present.

Mayor Nancy McFarlane (absent & excused)
Councilor Kay C. Crowder, Mayor Pro Tem
Councilor Mary-Ann Baldwin
Councilor Corey D. Branch
Councilor David Cox
Councilor Bonner Gaylord
Councilor Russ Stephenson
Councilor Dickie Thompson

Mayor Pro Tem Crowder called the meeting to order announcing that Mayor McFarlane is absent and excused from the meeting. Invocation was rendered by Reverend Elisha Freeman, Raleigh Church of Christ. The Pledge of Allegiance was led by Council Member Gaylord. The following items were discussed with action taken as shown.

RECOGNITION OF SPECIAL AWARDS

PROCLAMATION – BREWGALOO DAYS – PROCLAIMED

Mayor Pro Tem Crowder read a proclamation proclaiming April 21 and 22 as Brewgaloo Days in the City of Raleigh. The Proclamation talked about Brewgaloo being North Carolina largest craft beer festival. In accepting the proclamation Jennifer Martin expressed appreciation to the City for allowing the festival to take place in Raleigh pointing out it started a few years ago with several people and has grown to approximately 30,000 people. She presented each with a T-shirt and welcomed all to attend the upcoming event.

PROCLAMATION – RALEIGH RECORD STORE DAY – PROCLAIMED

Mayor Pro Tem Crowder read a Proclamation proclaiming April 22, 2017 as Raleigh Record Store Day. The Proclamation was accepted by Carrie Colleton, Daniel Lupton, Enoch March and Stephen Judge and Adam Kirk.

PROCLAMATION – BIKE MONTH – PROCLAIMED

Mayor Pro Tem Crowder read a proclamation proclaiming May 2017 as Bike Month in the City of Raleigh. In accepting the proclamation, Aaron Peeler, Chair of the Bicycle and Pedestrian Advisory Commission, expressed appreciation to the City and City Council for the continued support of Bike Month and many of the events relating to the bicycle and pedestrian activities. He invited all to attend an event scheduled for May 5, 2017 and talked about the participants, the event, etc.

PROCLAMATION – RALEIGH RELAY FOR LIFE – PROCLAIMED

Mayor Pro Tem Crowder read a proclamation proclaiming June 9 and 10, 2017 as Relay for Life Day in the City of Raleigh. The proclamation was accepted by Bob Schechner, Co-Chair of the Raleigh Relay for Life event which is sponsored by the American Cancer Society. In accepting the proclamation, he expressed appreciation to all who have participated and welcomed all pointing out they hope to top the Gwinnet County, Georgia event which had over 6,000 participants and raised approximately \$2M during the year. He talked about upcoming events and invited all to attend.

AGENCY GRANTEE PRESENTATION**AGENCY GRANTEE PRESENTATION – RALEIGH LIONS CLINIC FOR THE BLIND - RECEIVED**

Nikki Bare, Project Specialist with the Raleigh Lions Clinic for the Blind, talked about the work of the Clinic which helps to empower visually impaired individuals with social and economic skills, etc. She expressed appreciation to the City for the grant they received pointing out it had helped them to serve about 30 students, talked about 120 hours of service which helps instructs students in computer programming, etc. She talked about the employment goals and again expressed sincere appreciation for the help given by the City of Raleigh.

CONSENT AGENDA**CONSENT AGENDA – APPROVED AS PRESENTED**

Mayor Pro Tem Crowder presented the consent agenda indicating all items are considered to be routine and may be enacted by one motion. If a Council Member requests discussion on an item, the item will be removed from the consent agenda and considered separately. Mayor Pro Tem Crowder stated the vote on the Consent Agenda would be a roll call vote. Mayor Pro Tem Crowder pointed out Council Member Gaylord had been excused from participation in the North Hills – Urban Redevelopment Reimbursement item. Council Member Thompson moved that Council Member Gaylord's vote not count on that item as he would be excused. His motion was seconded by Council Member Baldwin and a roll call vote resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. Mayor Pro Tem Crowder moved the motion accepted ruled the motion adopted on a 7-0 vote. Council Member Baldwin moved approval of the consent agenda as presented. Her motion was seconded by Council Member Thompson and a roll call vote resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted in a 7-0 vote. The items on the consent agenda were as follows:

INTERLOCAL AGREEMENT – PLAYGROUND ENHANCEMENTS TO CLARENCE POE AND WALNUT CREEK ELEMENTARY SCHOOLS – APPROVED

On August 5, 2014 Council authorized execution of a letter of agreement and budget amendment to receive a \$210,000 grant from the John Rex Endowment in support of work between City and the WCPSS to increase community access to parks and playground facilities.

Working in cooperation with WCPSS two sites have been identified at Clarence Poe Elementary and Walnut Creek Elementary to receive play area enhancements supported by the grant in return for community access on weekends.

Recommendation: Authorize the City Manager to execute the interlocal development and non-exclusive shared use agreement. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

REIMBURSEMENT RATE FOR MAIN REPLACEMENT – ANNUAL FEE ADJUSTMENT – ORDINANCE ADOPTED

Various utility fees, charges, and reimbursement amounts are updated and adjusted annually in accordance with the prior year Engineering News Record Construction Cost Index (CCI) in accordance with City Code, including the reimbursements to developers who replace aging or under capacity water and sewer mains in conjunction with a development project. The 2016 CCI is an increase of 3.02%. This percentage increase has been applied to all of the unit prices in the table of reimbursement amounts for the various items that are eligible for reimbursement. The revised tables are outlined in the ordinance which is included with the agenda packet with an effective date of July 1, 2017.

Recommendation: Adopt the ordinance. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused). See Ordinance 697.

URBAN REDEVELOPMENT MAIN REPLACEMENT – NORTH HILLS – APPROVED

On November 1st, 2016 SMNHC, LLC completed replacement of downstream sewer mains; the replacement qualifies for reimbursement under the Urban Redevelopment Main Replacement Reimbursement Policy adopted by City Council on February 16th 2015.

This project consisted of 1,107 linear feet of 16-inch sewer main and 775 linear feet of 12- inch sewer main near the Big Branch Interceptor. The replacement qualifies for reimbursement on the basis of condition of the infrastructure replaced and capacity provided by the new infrastructure. This project is eligible for \$263,542 in reimbursement and the amount has been certified by staff.

Recommendation: Authorize the City Manager to execute a reimbursement agreement in the amount of \$263,542. Upheld on Consent Agenda Baldwin/Thompson – 6 ayes (Mayor absent and excused; Gaylord excused from participation in this item).

WAKE TRANSIT WORK PLAN – RESOLUTION OF SUPPORT – ADOPTED

As reviewed for Council during the April 11 work session, the City has a number of capital and service improvements associated with the FY2018 Wake Transit Work Plan. The work plan focuses on regional bus connections, increasing weekend and evening local bus service, and supporting non-urban transportation options.

The work plan also outlines planning efforts and studies that will bring new bus service and facilities, Bus Rapid Transit corridors, and the Commuter Rail corridor from a vision to a reality. Staff has developed a resolution of support to be entered into the public record for consideration by Council.

Recommendation: Adopt the resolution. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused). See Resolution 462.

PULLEN ROAD EXTENSION – VARIOUS CHANGES – APPROVED

During the March 7, 2017 meeting, City Council heard the petition request from the Pullen Park Terrace neighborhood to remove the proposed speed humps from the Pullen Road Extension design drawings and to revise the drawings to reflect the closure of the Bilyeu Street at Western Boulevard. City Council agreed with request and asked staff to provide input on the most appropriate way to pursue the changes. Staff recommends the immediate removal of the speed humps from the Pullen Road Extension design drawings and a plan revision showing the closure of the intersection of Bilyeu Street at Western Boulevard and installation of signage at the roundabout.

Recommendation: Authorize the recommended changes to the approved design. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

ANNEXATION PETITIONS – VARIOUS – REFERRED TO CITY CLERK TO CHECK SUFFICIENCY; 2008 ANNE AVENUE – DEFERRED

The agenda presented the following petitions for annexation:

<u>AREA NAME & DISTRICT</u>	<u>PETITIONER</u>	<u>ACRES</u>	<u>PROPOSED USE</u>
9404 Baileywick Road (A)	Michael Huening Edward Rommen	4.34	Civic
3701 Gresham Lake Road (A)	David Brown	3.95	Industrial
Satellite Annexation Deferral 2008 Anne Avenue (C)	Charles Santos	0.46	SF Residential

Recommendation: Acknowledge the annexation petitions and direct the City Clerk to check the sufficiency of the petitions pursuant to State statute and if found sufficient, authorize advertisement for public hearing to be held on May 2, 2017.

The 2008 Anne Avenue is a satellite annexation which is recommended for deferral as it is hooking onto one utility only. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

ALVIS FARM PARK – ACQUISITION OF PROPERTY – 3218 TARHEEL CLUBHOUSE ROAD – APPROVED

The City previously assembled four properties containing a total of 104.12 +/- acres between 2001-2007 for the future Alvis Farm Park. These properties surround a 2 acre improved parcel located at 3128 Tarheel Clubhouse Road. An independent appraisal of the property has been obtained by City staff. Owners and staff have agreed upon a purchase price for the property of \$215,000, subject to due diligence terms and Council approval.

Staff has reviewed the proposed sale terms, and supports acquisition of this parcel due to its adjacency to City-owned properties. Acquisition of the site would also eliminate potential future liability stemming from private ownership.

Recommendation: Authorize staff to enter into a purchase contract to acquire the property located at 3128 Tarheel Clubhouse Road for a price of \$215,000, for addition to the assembled properties and use as part of the future Alvis Farm Park. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

FIRE STATIONS 14 AND 30 – RATIFICATION OF PURCHASE - APPROVED

The City assembled properties on Harden Road and Ronald Drive for the replacement of Fire Station 14 and construction of future Fire Station 30, respectively. For Fire Station 14, staff received Council authorization to purchase 3510 Harden Road during the City Council meeting on September 16, 2014. Although property at 3500 Harden Road and 3504 Harden Road was approved as part of the 2012-13 Capital Improvement Program (CIP) in June of 2012, the purchase of these lots was not explicitly authorized by the City Council.

For Fire Station 30, the property at 1514 Ronald Drive was also approved in the 2012-13 CIP in June of 2012, but the purchase was not explicitly authorized by City Council. Staff reviewed all properties and found them to have met the search parameters for Fire Stations 14 and 30. Staff recommends ratification of the previous property acquisitions at this time.

Recommendation: Ratify the purchase of 3500 Harden Road and 3504 Harden Road for the purchased price of \$410,000 and \$325,000, respectively, for Fire Station 14; and, the purchase of 1514 Ronald Drive for the purchased price of \$450,000 for Fire Station 30. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

EASEMENTS – 314 SOUTH WEST STREET – CONVEYANCE AUTHORIZED CONDITIONALLY

MMP Junction West, LLC (MMP) intends to redevelop property located at 310 South West Street. As part of the redevelopment efforts MMP has requested a building restricted easement on a portion of the adjacent City property located at 314 South West Street (City Property) in order to have an unlimited number of unprotected openings within the southern façade of the planned addition to the existing building. Once constructed, the addition to the structure will be located approximately 5 to 8 ½ feet from the northern property line of the City Property, which is currently vacant. So that this addition can be constructed with an unlimited number of unprotected openings along its southern façade without violating Table 705.8 of the North Carolina Building Code, a building restricted easement has been proposed for the northern portion of the City Property as indicated by the map included with the agenda packet. No above grade improvements will be permitted to be constructed or otherwise installed within the building restricted easement area.

In consideration for granting the requested building restricted easement, MMP shall be responsible at its sole cost and expense to maintain the City Property once City completes construction and landscaping associated with the Raleigh Union Station, such maintenance to include mowing and landscaping. As such, an easement for maintenance over the entire City Property is necessary to allow MMP, its successors and contractor(s) access to the City Property to perform maintenance work. Performance of any such maintenance work must be in accord with the deed restrictions that apply to the City Property.

Staff has reviewed the request by MMP and has no objection to granting the easements.

Recommendation: Approve conveyance of the requested building restricted easement and maintenance easement to MMP Junction West, LLC. Authorize the appropriate officials to sign instruments of conveyance, subject to City Manager and City Attorney review and approval of the final easement document. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

CENTRAL COMMUNICATIONS CENTER – VARIOUS EQUIPMENT SERVICE AGREEMENTS – MANAGER AUTHORIZED TO EXECUTE CONTRACT WITH CUMMINS ATLANTIC

The City advertised a Request for Proposals (RFP) for an annual service of the paralleling gear, switchgears, and breakers at the Central Communications Center located at 2320 Westinghouse Boulevard. As part of the requirements the City asked the vendor to provide from the manufacturer, a signed document on company letterhead validating the vendor is a certified manufacturer representative of the equipment to be serviced. After thorough evaluation of the proposal, staff would like to award base submittal of the contract to Cummins Atlantic, Limited Liability Company. The term of the awarded contract is expected to be for five years for the total of \$184,078, which is over the \$150,000 threshold for professional services.

Name of Project:	Parallel Gears, Switchgears and Breakers Service
Managing Division:	Engineering Services – Facilities and Operations
Reason for Council Review:	Contract Amount > \$150,000
Vendor:	Cummins Atlantic, Limited Liability Company
Prior Contract Activity:	N/A
Amount of this Contract:	\$184,078 (Year 1-\$35,621, Year 2-\$35,621, Year 3-\$36,688, Year 4-\$37,604, Year 5-\$38,544)
Current Encumbrance:	N/A
Budget Transfer:	No
Encumbered with this Approval:	\$35,621 (Year 1)

Recommendation: Authorize the City Manager to execute the contract in an amount not to exceed \$184,078. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

WOOTEN MEADOW PARK IMPROVEMENTS – MANAGER AUTHORIZED TO EXECUTE CONTRACT WITH SITE COLLABORATIVE, INC

A Request for Qualifications for professional services was advertised November 2016 for services including schematic design, design development, construction documentation, bidding, construction administration, and project closeout for Wooten Meadow Park. Services include the design of park site improvements such as a pedestrian trail, boardwalk, picnic shelter, and a small play area. The Parks, Recreation and Cultural Resources Department will partner with the Stormwater division of Engineering Services to address water quality by daylighting the existing stream and treating stormwater through best management practices.

Following a review of qualifications staff selected Site Collaborative, Inc. as the most qualified firm.

Name of Project:	Wooten Meadow Park Improvements
Managing Division:	Parks, Recreation, and Cultural Resources Department – Park Development and Communications
Approval Request:	Contract award
Reason for Council Review:	Contract award >\$150,000
Original Project Budget:	\$1,225,475 (Design + Construction)
Design Fee Proposal:	\$ 156,740
Vendor:	Site Collaborative, Inc.
Prior Contract Activity:	N/A
Currently Encumbered (% of estimate):	0%
Amount of this Contract:	\$156,740
Encumbered with this Approval:	\$156,740

Recommendation: Authorize the City Manager to execute a contract in an amount not to exceed \$156,740. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

BICYCLE LANE DESIGN – STEWART ENGINEERING INC/AMENDMENT #1 – APPROVED

The City has an existing contract with Stewart Engineering Inc. to perform engineering services to develop engineering plans and contract documents to reconfigure the laneage for segments of Wake Forest Road, Blount Street and Person Street in order to improve pedestrian and cycling conditions by adding bike lanes to the corridor from Brookside Drive to Hoke Street. The contract amendment is to expand the bicycle lane design work from south to Wilmington Street and north to Old Louisburg Road. The amendment also includes services to provide curb ramp replacement recommendations for the project corridor north of Edenton Street where resurfacing will occur, traffic signal design for up to 36 signals, and parking surveys for Blount and Person Street south of Martin Luther King Jr. Boulevard. The additional service will be for \$83,884 for the term of the contract and requires Council approval due to administrative approval threshold for professional services.

Name of Project:	Bicycle Lane Design – Amendment Number One
Managing Division:	Transportation – Transportation Planning
Reason for Council Review:	Contract Amount > \$150,000
Vendor:	Stewart Engineering Inc.
Prior Contract Activity:	\$95,290 for Original Contract
Amount of this Contract Amendment:	\$83,884
New Contract Amount:	\$179,174
Budget Transfer:	N/A
Encumbered with this Approval:	\$179,174

Recommendation: Authorize the City Manager to execute the contract amendment in an amount not to exceed \$83,884. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

WAKE TRANSIT MASTER PARTICIPATION - INTERLOCAL AGREEMENT – MANAGER AUTHORIZED TO EXECUTE CONDITIONALLY

The Wake County Transit Planning Advisory Committee (TPAC) has produced a “Wake Transit Master Participation Agreement” (MPA) that contains a number of provisions addressing overall participation in the implementation of the Wake County Transit Plan. More specifically, the agreement functions as the multi-party instrument that institutionalizes provisions of engagement associated with any agency’s or party’s use of Wake Transit Tax Revenue to implement projects in the Wake County Transit Plan. The MPA is the overarching agreement for implementation of the Wake County Transit Plan and precedes and paves the way for subsequent program and project-specific agreements that will lay out more specific project implementation

responsibilities for applicable parties. Any agency or local government in Wake County that is expecting to benefit from Wake Tax District revenues must be a party to the agreement. This includes the Governance ILA Parties, consisting of the Research Triangle Regional Public Transportation Authority (“GoTriangle”), Capital Area Metropolitan Planning Organization (“CAMPO”), and County of Wake (“Wake County”) and the Eligible Participant Parties; the twelve municipalities in Wake County, North Carolina State University, and the Research Triangle Park Foundation.

The MPA states: “the purpose of this Participation Agreement is to: 1) serve as the master joint agency operations agreement referenced in Section 8.02 of the Governance ILA; 2) establish standards that will govern the Parties’ eligibility for inclusion of sponsored Implementation Elements in the Wake Transit Work Plan and receipt of any funding allocation from Wake County Transit Tax Revenue; 3) evidence the Parties’ approval of the Wake County Transit Plan and the annual update process; and 4) confirm the Parties’ roles in carrying out Transportation Planning Advisory Committee (TPAC) responsibilities.”

Recommendation: Authorize the City Manager to execute the interlocal agreement, subject to City Manager and City Attorney review and approval of the terms and conditions. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

CENTRAL COMMUNICATIONS CENTER – AUDIO VISUAL EQUIPMENT MAINTENANCE AND SUPPORT – SOLE SOURCE PROCUREMENT – MANAGER AUTHORIZED TO EXECUTE CONTRACT WITH DIVERSIFIED

Staff recommends an approval to execute a contract, using single source procurement, for a three-year term through May 2020 with Diversified for audio visual equipment maintenance at the Central Communications Center (CCC). Diversified is the current vendor providing maintenance and equipment repair through an existing one-year agreement for Audio Visual (AV) equipment that was established during the construction for the CCC.

This is an enterprise agreement with equipment and services that directly affect five operating departments and services the entire City of Raleigh. The proposed new client support agreement provides the necessary level of service of support of AV systems, including onsite staffing and complete equipment replacement. Single source procurement is recommended due to the ongoing nature of the software services and support provided by the current vendor. Funding is available within the Information Technology department operating budget.

Recommendation: Authorize the City Manager to execute a contract with Diversified as a sole procurement. The total amount of the new contract will not exceed \$900,000 over the three year term. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

ENCROACHMENT REQUEST – VARIOUS – APPROVED CONDITIONALLY

The agenda presented the following encroachment requests

Atlantic Avenue and Wakefield Pines Drive

A request has been received from South Carolina Telecommunications Group to install 2,495 linear feet of underground fiber optic cable and six handholes. A report was included with the agenda packet.

Ashe Avenue, North State Street, Penn Road, and West North Street

A request has been received from Mobilitie, LLC to install two new wooden utility poles and one new antenna. A report was included with the agenda packet.

510 Glenwood Avenue

A request has been received from The New 510 Glenwood Associate, LLC to install new stairs. A report was included with the agenda packet.

606 and 608 West Morgan Street

A request has been received from Glenwood HPI, LLC to install utilities and storm drainage system. A report was included with the agenda packet.

Recommendation: Approve the encroachments subject to completion of a liability agreement and documentation of proof of insurance by the applicants. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused).

BUDGET AMENDMENTS – VARIOUS – ORDINANCE ADOPTED

Council Members received in their agenda packet a listing of budget amendments and transfers for reasons as outlined.

Recommendation: Approve the budget amendments and transfers. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused). See Ordinance 698 TF 295.

CRABTREE NORTH BANK INTERCEPTOR – EMERGENCY REPLACEMENT – BID AWARDED TO PARK CONSTRUCTION OF NORTH CAROLINA, INC. - APPROVED

On March 31, 2017, four bids were received for the Crabtree North Bank Interceptor Emergency Replacement Project. The project involves the replacement of approximately 8,000 feet of damaged 54-inch sewer interceptor.

Park Construction of NC, Inc., submitted the lowest bid amount of \$5,865,461. Park Construction is properly licensed and experienced in the type of work involved with this project. Park Construction submitted a 15 percent Minority and Woman Enterprise (MWBE) participation plan.

This project was not previously planned, and is being completed based on issues discovered during an easement inspection by staff. After investigating the existing pipe, it was determined that a full replacement is needed to address the issues and prevent failure of the infrastructure.

This project will be funded utilizing departmental contingency funds and available funds balance. The necessary budget transfer information was included in the agenda packet.

Name of Project:	North Bank Interceptor Emergency Replacement
Managing Division:	Public Utilities - Capital Improvements Division
Approval request:	Bid Award
Reason for Council review:	Formal Bid Award
Original CIP Budget:	\$0
Construction Bid Award:	\$5,865,461
Vendor:	Park Construction of NC Inc.
Prior Contract History:	N/A
Encumbered with this approval:	\$5,865,461

Recommendation: Award the contract to Park Construction of North Carolina, Inc. in the amount of \$5,865,461. Authorize the City Manager to execute the contract, and approve the associated budget transfer in the amount of \$4,900,000 and a budget amendment in the amount of \$500,000. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused). See Ordinance 698 TF 295.

TRAFFIC – VARIOUS CHANGES – ORDINANCE ADOPTED

The agenda presented the following traffic code changes which will become effective 7 days after Council action unless otherwise indicated.

No Stopping or Standing Zone – Ebenezer Church Road

It is recommended that the current No Parking Zone be removed on the east side of Ebenezer Church Road and that a No Stopping or Standing Zone be implemented. A request was received from the Raleigh Police Department and the Manager of CarMax to change the existing No Parking Zone to a No Stopping or Standing Zone in order to curtail an ongoing issue with delivery drivers parking in both the center turn lane and the right turn lane on the east side of the street to load and unload vehicles for CarMax. When delivery drivers park in these lanes, it forces motorists to turn left from a travel lane which creates traffic backups on Ebenezer Church Road, as well as, a dangerous situation for passing motorists and cyclists. Both CarMax staff and RPD have continually requested these drivers not to load and unload in the street, but without prevail. The No Stopping or Standing Zone would provide RPD the ability to provide immediate and firmer enforcement which would eliminate this issue.

No Parking Zone – Marriott Drive

It is recommended that a No Parking Zone be established on the north side of Marriott Drive between Glenwood Avenue and Creedmoor Road. A request was received from the Property Manager for Crabtree Center, 4600 Marriott Drive, to add a No Parking Zone along the frontage of their property. Tenants are currently experiencing sight issues when exiting either of the two driveways for the property due to the many vehicles that park on the right-of-way. Staff

completed a field study of the area which confirmed that cars parked along the east side, between the two driveways, does negatively impact the ability of drivers to observe oncoming traffic traveling in either direction on Marriott Drive. The proposed change will alleviate this issue.

No Parking Zone – Blue Ridge Road

It is recommended that a No Parking Zone be established on the south side of Blue Ridge Road between Ed Drive and Laurel Hills Road. A request was received from Rexview Medical Partners, LLC to have a section of Blue Ridge Road made No Parking due to cars parked near their driveway creating a visual obstruction for tenants and guests exiting the complex. Staff completed a field study which confirmed that vehicles parked along the south side of the street render it impossible for exiting Rexview drivers to see oncoming traffic traveling eastbound down

Speed Limit Reduction – Coleridge Drive

It is recommended that the speed limit be reduced from 35 mph to 25 mph on Coleridge Drive. Coleridge Drive is classified as Neighborhood Local and is constructed to typical residential street standards. Staff received a signed petition representing at least 75 percent of the residents or property owners along the street in support of a speed limit reduction.

Recommendation: Approve as recommended and authorize the appropriate changes in the traffic code as included in the agenda packet. Upheld on Consent Agenda Baldwin/Thompson – 7 ayes (Mayor absent and excused). See Ordinance 299.

END OF CONSENT AGENDA

REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION

REZONING Z-13-16 – QUAIL HOLLOW – PUBLIC HEARING AUTHORIZED FOR MAY 2, 2017

This is a request to rezone property from Commercial Mixed Use-7 Stories-Parking Limited Frontage with Conditions, Conservation Management with Conditions, and Office Mixed Use-3 Stories-Green Frontage with Conditions (CX-7-PL-CU, CM-CU, and OX-3-GR) to Commercial Mixed Use-20 Stories-with Conditions, Commercial Mixed Use-7 Stories-Parking Limited with Conditions, and Conservation Management with Conditions (CX-20-CU, CX-7-CU, and CM-CU).

The property is located along the south side of St. Albans Drive, west of Benson Drive.

The request is consistent with the Future Land Use Map, the Urban Form Map, and most pertinent policies of the Comprehensive Plan. Conditions restrict certain uses, limit overall development intensity, and provide design specifications and height limits along St. Albans Drive.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of May 2, 2017.

Planning Director Bowers explained the recommendation. Council Member Thompson moved approval of the May 2, 2017 public hearing. His motion was seconded by Council Member Gaylord and put to a vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote.

REZONING Z-40-16 – OAK FOREST ROAD – 60 DAY TIME EXTENSION - GRANTED

This is a request to rezone property from Industrial Mixed Use-4 stories-Parking Limited-Conditional Use (IX-4-PL-CU) to Commercial Mixed Use-4 stories-Parking Limited (CX-4-PL). The property is located on Oak Forest Road, north side, west of Capital Boulevard.

The Commission is requesting a 60-day time extension to complete its review of this case. The Commission's current time frame expires on April 23, 2017. A 60-day time extension will provide the North Citizens Advisory Council opportunity to review and vote on this proposal. Four regular Commission meetings are scheduled within the requested extension period.

Planning Director Bowers explained the request for the 60-day extension. Council Member Gaylord moved approval of the extension as requested. His motion was seconded by Council Member Stephenson and put to a vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor ruled the motion adopted on a 7-0 vote.

REZONING Z-41-15 – HILLSBOROUGH STREET – WAIVER OF WAITING PERIOD APPROVED

This is a request for a waiver of the 24-month waiting period between rezoning requests. The UDO contains a standard related to the frequency of rezoning public hearings on a particular property. The UDO does not permit the submittal of a rezoning application when the same property has been the subject of a rezoning public hearing within the past 24 months.

The property, located on Hillsborough Street, south side, extending south between Rosemary and Concord streets to Stanhope Avenue was the subject of zoning case Z-41-15. This rezoning request was ultimately denied at a public hearing on April 19, 2016. The former was a request to rezone the property from Commercial Mixed Use – Three Stories (CX-3) and Commercial Mixed Use – Three Stories – Urban General (CX-3-UG) to Neighborhood Mixed Use – Four Stories- Urban Limited conditional use (NX-4-UL CU).

The UDO contains a provision that would allow a waiver of the 24-month waiting period for rezoning requests. There are five considerations for the City Council in reviewing a request for

waiver. These considerations include whether or not the new request is the result of materially changed conditions, newly discovered evidence, a substantial change in the request, is a change from general to conditional use or if the new request would correct a clerical error.

The Planning Commission recommends approval of the request. If the City Council would like to grant a waiver of the 24-month waiting period, the applicant could submit a revised rezoning petition. Staff review, Planning Commission review and a City Council public hearing would be required.

Planning Director Bowers explained the request for the waiver of the 24-month waiting period is in order to file a new application. Council Member Baldwin moved approval of the waiver. Her motion was seconded by Council Member Thompson and put to a vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote.

SPECIAL ITEMS

TEXT CHANGE TC-1-17 – RALEIGH HISTORIC DISTRICT DEVELOPMENT GUIDE – TO BE PLACED ON MAY 2, 2017 AGENDA

The following item appeared on the April 4, 2017 agenda as a Special Item. It was directed that the item be held for two weeks and placed on this agenda.

During the March 21 Council meeting, the City Council adopted Ordinance 2017-693 approving TC-1-17, which incorporates by reference the revised guidelines known as Design Guidelines for Raleigh Historic Districts and Landmarks. The document if adopted will be effective April 10, 2017.

The ordinance received only five votes on the first reading; therefore, it was directed that the ordinance be placed on this agenda for consideration on a second and final vote.

Mayor Pro Tem Crowder indicated she is deferring this case for two weeks. Without objection it was agreed that the item will be placed on the May 2, 2017 agenda.

REZONING Z-2-17 – POOLE ROAD AND RAWLS DRIVE – MAY 2 PUBLIC HEARING AUTHORIZED

The following item appeared on the April 4, 2017 agenda and it was directed that the item be placed on this agenda for consideration.

This is a request to rezone property from Residential-6 (R-6) to Residential-10-Conditional Use (R-10-CU). The property is generally located northeast of the Poole Road and Rawls Drive intersection.

The request is consistent with the Future Land Use Map and most pertinent policies of the Comprehensive Plan. Conditions provide for a transit easement and the restriction of certain uses and density.

The Planning Commission recommends approval of the request, but with an additional condition related to greenway dedication to be added before scheduling a public hearing.

Council may hold the item or schedule it for public hearing for the May 2, 2017 agenda.

Planner Bynum Walter pointed out the additional conditions had been received therefore it would be appropriate to move forward with the public hearing. Council Member Branch moved approval of the May 2, 2017 public hearing. His motion was seconded by Council Member Stephenson and put to a vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. Mayor Pro Tem ruled the motion adopted on a 7-0 vote.

REZONING Z-43-16 – 8402 DARTON WAY – PUBLIC HEARING AUTHORIZED FOR MAY 2, 2017

The following item appeared on the April 4, 2017 agenda:

This is a request filed by Rainbow Rascals, LLC to rezone approximately three acres from Office Mixed-Use – 3 Stories – Parkway – Conditional Use, (OX-3-PK-CU) to Office Mixed-Use – 3 Stories-Parkway – Conditional Use, (OX-3-PK-CU). The request is to change existing zoning conditions. The property is located on Darton Way, northwest of the Louisburg Road and Leland Drive intersection.

Zoning conditions would limit building height and certain land uses. The request is consistent with the Future Land Use Map and the Comprehensive Plan. The Planning Commission recommends approval of the request.

This request was first received by the City Council at the March 21, 2017 agenda. The applicant requested that the item be held in order to allow for submission of new conditions. Signed new conditions were timely received and staff suggests a public hearing date of May 2, 2017.

Council Member Gaylord moved approval of the May 2, 2017 public hearing. His motion was seconded by Council Member Baldwin and put to a vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote.

INNOVATION FUND – APPROPRIATION FOR LAUNCH RALEIGH – APPROVED

During the April 4, 2017 Council meeting, Council Member Baldwin requested that an item be placed on this agenda to receive information on the possibility of providing \$10,000 to Launch Raleigh with the source of funding being the Innovation Fund. She asked that the item be placed

on this agenda to receive the report. Council may take action to approve the appropriation, deny the appropriation or refer the item to Committee. Council Member Baldwin moved approval. Her motion was seconded by Council Member Thompson and a roll call vote resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem Pro Tem ruled the motion adopted on a 7-0 vote.

SUBDIVISION S-44-2016 – CURRIN PROPERTY – APPROVED

During the April 4, 2017 meeting and following an evidentiary hearing, the Council approved preliminary subdivision S-44-2016 based on the subdivision meeting requirements of the city code (sections 10.2.5.E.3.a.i. and 10.1.8).

Council Members received the following proposed findings of fact and conclusions of law in their agenda packet.

NORTH CAROLINA

BEFORE THE RALEIGH CITY COUNCIL

WAKE COUNTY

S-44-16

IN RE: Currin Property Subdivision

On April 4, 2017, the Raleigh City Council held a hearing to receive evidence from Matthew Cash, on behalf of property owners, Christina Haver Currin and Daniel Grayson Currin, for approval of a proposed preliminary subdivision, S-44-16, Currin Property Subdivision. The applicant requests preliminary subdivision approval pursuant to Code Sections 10.1.8. and 10.2.5.E.3.a.i. of the City of Raleigh Unified Development Ordinance. As a result of that hearing and the testimony and other evidence received therein, the City Council makes the following subdivision approval.

FINDINGS OF FACT

The City Council finds, based on the record, that S-44-16 complies with these requirements.

1. All parties necessary to the determination of this request were properly notified and were present or had the opportunity to be represented at the hearing.
2. Proposal to approve the subdivision of a .269 acre parcel into two (2) lots, both zoned Residential Mixed Use-3 (RX-3), within the New Bern-Edenton Neighborhood Conservation Overlay District (-NCOD) with a portion of new Lot 1 being within the Oakwood General Historic Overlay District (HOD-G). This proposal is subject to the Unified Development Ordinance.

Currently, a detached house and a portion of a gazebo exist on the tract within the General Historic Overlay District and the plan indicates that both structures are to remain, on proposed new Lot 1. Proposed size for new Lot 1 is .104 acres (4,521 square feet) and .165 acres (7,186 square feet) for proposed new Lot 2.

The maximum residential density allowed with the Residential Mixed Use zoning district, provides a variety of residential building types and housing options at density in excess of ten (10) dwelling units per acre.

Approximately, thirty-three percent (33%) of the proposed preliminary subdivision plan falls within the Historic Overlay District – General (Oakwood); thus a Quasi-Judicial Public Hearing is required, as per Code Sections 10.1.8. and 10.2.5.E.3.a.i. of the City of Raleigh Unified Development Ordinance.

CONCLUSIONS OF LAW

1. Based on evidence presented at the hearing, the Raleigh City Council concludes that S-44-16 complies with Code Sections 10.1.8. and 10.2.5.E.3.a.i. of the City of Raleigh Unified Development Ordinance. Therefore, the proposed preliminary subdivision is hereby approved.

Council Member Thompson moved approval of the Findings and Conclusions as presented. His motion was seconded by Council Member Gaylord and put to a vote which passed with all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote.

TEXT CHANGE – CONGREGATE CARE FACILITIES – REFERRED TO PLANNING COMMISSION TO BRING BACK PROPOSED ORDINANCE

During the March 7, 2017 meeting, Grubb Ventures LLC requested that the City Council authorize a text change for standards associated with congregate care. Specifically, the request centers around the minimum site area for such a facility, the special use permit requirement and the amount of required open space. The City Council requested that staff prepare a brief report on these issues.

Staff review of the request results in concurrence on two of the three aspects; the third aspect of the request would eliminate the public hearing requirement before the Board of Adjustment. Staff does not concur with eliminating the public hearing requirement.

Council Member Baldwin moved the item be sent to Planning Commission to bring back an ordinance. Her motion was seconded by Council Member Gaylord and put to a vote which passed with all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on 7-0 vote.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

AFFORDABLE HOUSING PROGRAM – VARIOUS – VARIOUS ACTIONS TAKEN

The City Manager stated staff would like to give a brief report on the following three programs.

Affordable Housing Program - Joint Venture Rental Recommendations

The Joint Venture Rental Program provides low-interest loans to developers of affordable multi-family housing in order to build or purchase and rehabilitate privately owned and managed rental units. City funds are leveraged with federal low-income housing tax credits, conventional financing, and/or other public funding sources. The program has operated since 1988 and has provided funding for more than 2,000 affordable units since inception.

In 2016 a request for proposals (RFP) for joint venture rental participation was issued; two proposals were submitted in response to the RFP. Proposals for development of Beacon Ridge (DHIC) and Hampton Spring (Evergreen Construction) were received, which include the following:

Hampton Spring	56 Elderly Units	\$672,000
Beacon Ridge	84 Family Units	\$1,350,000

Based on evaluation of proposals, staff recommends the extension of conditional commitments, subject to the award of tax credits in August by the North Carolina Housing Finance Agency, to Beacon Ridge and Hampton Spring. Staff further recommends the transfer of appropriated funding from federal HOME Investment Partnership (HOME), federal Community Housing Development Organization (CHDO) appropriations, and local funding resources to the Joint Venture Rental program, subject to the announcement of tax credit awards expected in August 2017. Transfers will be initiated upon confirmation of tax credit awards and will include \$672,000 from the dedicated affordable housing fund as well as a budget amendment in the amount of \$262,398. An appropriation in the amount of \$641,032 will be proposed with the FY2017-18 Capital Improvement Program. Accounting details were included with the agenda packet.

Recommendation: Authorize the conditional commitment to Beacon Ridge and Hampton Spring developments, subject to tax credit awards. Authorize a budget transfer in the amount of \$672,000 and budget amendment in the amount of \$262,398.

North Carolina Housing Finance Agency 4% Tax Credit Recommendations

In late 2016, the Housing and Neighborhoods Department issued a Request for Proposals to provide gap financing for developers applying for tax credits for affordable housing. In response, the City received three proposals that involve application for the NC Housing Finance Agency (NCHFA) four-percent tax credit program and the tax-exempt bond volume (issued by the

Raleigh Housing Authority). One proposal involves the purchase and rehabilitation of an existing development in order to extend the useful life of the properties as affordable housing resources. The other two propose new construction. The developers propose to submit a four-percent bond application to the NCHFA on May 12, 2017.

Steel Properties is requesting \$2,000,000 from the City's dedicated affordable housing fund for the acquisition and rehabilitation of the 229-unit Raleigh North and Millbank Court development for low-income individuals and families. The development would benefit 229 individuals and families earning less than 60 percent Area Median Income (AMI). The development would provide 115 two-bedroom units and 114 three-bedroom units. The site is located at 1500 Raleigh Boulevard and as an existing development is exempt from the Affordable Housing Location Policy.

Carolina Project Equities is requesting \$2,000,000 from the dedicated affordable housing fund for the new construction of the 180-unit Sunnybrook Pointe for low-income individuals and families. The development would benefit 180 individuals and families earning less than 60 percent AMI. The development would provide six one-bedroom units, 108 two-bedroom units, and 66 three-bedroom units. The site is located at 413 Sunnybrook Road and because it is located within a half mile of a transit stop, served at intervals of 15 minutes or better, qualifies for an exception within the Affordable Housing Location Policy.

Taft-Mills Group is requesting \$1,500,000 from the dedicated affordable housing fund for the new construction of the 180-unit Walnut Trace for low-income individuals and families. The development would benefit nine individuals and families earning 40% AMI and 171 individuals or families earning 60% AMI. The development would provide six one-bedroom units, 108 two-bedroom units, and 66 three-bedroom units. The site is located at 1800 Rock Quarry and does not qualify for one or more exceptions outlined in the Affordable Housing Location Policy. The developer requests and staff recommends a waiver to the location policy. Additional details for the waiver rationale were included with the agenda packet.

Budget transfers will only occur upon confirmation of tax credit awards by NCHFA, anticipated to occur in August 2017. A budget transfer in the amount of \$2,000,000 is required. An appropriation in the amount of \$3,500,000 will be proposed with the FY2017-18 Capital Improvement Program. Accounting details were included with the agenda packet.

Recommendation: Authorize conditional commitment of gap financing and construction/permanent financing respectively for a total allocation of dedicated affordable housing funds in the amount of \$5,500,000, subject to confirmation of tax credit awards. Authorize a budget transfer in the amount of \$2,000,000.

DHIC - Washington Terrace Additional Funding Allocation

At the December 3, 2013 meeting, City Council approved funding in the amount of \$2,100,000 to DHIC for the purchase of the 245-unit Washington Terrace complex with the intent to preserve affordable units in the downtown area by redeveloping the property and increasing

density. On September 1, 2015, City Council approved a loan of \$6,800,000 to DHIC on behalf of Washington Terrace Affordable Housing LLC for the construction of the first phase of the redevelopment consisting of a 162-unit family affordable housing development to be known as The Village at Washington Terrace, located at 2001 Booker Drive. On May 3, 2016, City Council approved a loan of \$2,200,000 to DHIC for the second phase of the project known as Booker Park North, a 72-unit elderly housing project.

As discussed during the annual retreat in January, proposed changes to corporate tax rates by President Trump has already had significant adverse impacts on equity markets and has created financial gaps for previously approved affordable housing projects. Additionally, with all of the construction activity occurring in Raleigh construction prices have spiked. For the Washington Terrace project this has created gaps in both the Village at Washington Terrace and Booker Park North. The most direct way to address this gap is for the City to assist with demolition and infrastructure construction costs which include installation of water and sewer service as well as roads and right-of-way improvements. On a typical tax credit project, the demolition and infrastructure improvements would have already taken place at this stage of redevelopment.

DHIC is now ready to begin the demolition of the units, realignment of the roads and other infrastructure improvements. DHIC plans to close on equity financing before the end of June and the demolition and infrastructure would occur shortly thereafter. Details were included in the agenda packet.

Recommendation: Authorize an additional \$2,100,000 in dedicated affordable housing funds to allow DHIC to meet the additional infrastructure costs associated with the Washington Terrace project. Authorize a budget transfer in the amount of \$2,100,000; accounting details are included with the agenda packet. It is also recommended that staff be authorized to negotiate the terms of the funding with DHIC prior to disbursement of funding.

Housing and Neighborhoods Director Larry Jarvis provided information on the timeline starting with November 2016 for funding targeted to developers seeking 9% tax credits, tax exempt bond volume (4% tax credit) and additional funding. He explained preliminary applications were due to the city and the North Carolina Housing Finance Agency in January of 2017 with the staff recommendations to City Council today. He stated May 12 is the deadline for developers to submit full applications to the North Carolina Housing Finance Agency and the announcement of tax credit awards will be in August. He went over the applications received for the 9% tax credits which included the Hampton Spring and Beacon Ridge; 4% tax credits – Sunnybrook Pointe, Raleigh North and Millbank (Steele Properties) and Walnut Trace and he presented information on the additional funding of \$2,100,000 for Villages at Washington Terrace/Booker Park North. He explained previous Washington Terrace commitments, talked about the gap for funding and what DHIC had done to help close the gaps including increased deferred developer's fee; seeking property tax exemption to increase debt capacity; city funding of demolition and infrastructure and increased rents but not for the current Washington Terrace residents. He went over the sources and uses of the various funding. Mr. Jarvis stated in 2016 Council awarded funding to both Beacon Ridge and Raleigh North and Millbank. Beacon Ridge was not awarded tax credits that year and Raleigh North and Millbank withdrew their applications due to issues

with the seller being able to close without penalty. He pointed out staff recommends approval as outlined on the agenda and pointed out Beacon Ridge and Walnut Trace would require a waiver to the Affordable Housing Location Policy.

Council Member Branch questioned how long residents will retain existing rents at Washington Terrace with Mr. Jarvis pointing out that is not a council decision. DHIC Director Greg Warren talked about their intent to provide affordable housing for the residents. He indicated no one has said there will not ever be an increase in rent but pointed out it would normally be in the \$10 to \$15 range annually. Whether DHICs projects are tax exempt and whether there is a cap by federal and state as it relates to rents was discussed.

Mr. Jarvis reiterated the recommendation of staff to approve the three items and authorize a waiver of the Housing Relocation Policy as it relates to Beacon Ridge and Walnut Trace. He stated we are trying to leverage the money as we do not know how long the tax credit program will remain.

Council Member Baldwin moved approval of all three recommendations as outlined by staff with the understanding the approval also includes the waiver of the Housing Relocation Policy for Beacon Ridge and Walnut Trace. Her motion was seconded by Council Member Branch and a roll call vote resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote. See Ordinance 698 TF 295.

Council Member Baldwin pointed out this is awesome work and in her tenure on Council this is the most progress she has seen related to affordable housing. She expressed appreciation to staff and all of the city's partners in providing affordable housing. In response to questioning, it was pointed out all of these projects are tax credit projects.

REPORT AND RECOMMENDATION OF THE CITIZEN ENGAGEMENT TASK FORCE

CITIZEN ENGAGEMENT TASK FORCE – FINAL REPORT – TO BE PLACED ON MAY 2, 2017 AGENDA

The establishment of task force to study citizen engagement was discussed by Council on September 6, 2016. Following further discussion by a Council subcommittee later that month, Council appointed the membership and a scope of work for a Citizen Engagement Task Force and appropriated funding for a facilitator to work with the newly established body.

The task force convened over the course of several months and has completed its work. The chair will present the recommendations of the task force during the meeting. Included with the agenda packet is the task force report, as well as a compilation of documents that were provided to and/or utilized by the task force while conducting its work.

Mayor Pro Tem Crowder pointed out she is deferring action on this item and directing that it be placed on the May 2, 2017 agenda.

REQUEST AND PETITIONS OF CITIZENS

STORMWATER CONTROL MEASURES – POSSIBLE CHANGES – INFORMATION RECEIVED

Hunter Freeman, WithersRavenel, had requested permission to ask the City Council to authorize the use of any stormwater control measures that meet or exceed all performance standards of wet detention ponds as defined by NCDENR within the Swift Creek Watershed Protection Overlay District. It was pointed out Section 9.5.3 of the UDO restricts property owners to wet ponds when impervious service exceeds 24%. Mr. Freeman stated he understand staff is working on a tax change that will address this issue. Mayor Pro Tem Crowder pointed out the text change has been developed and it sets with the Planning Commission who will be reporting soon. The comments were received.

REPORT OF MAYOR AND COUNCIL MEMBERS

REZONING Z-15-16 – REQUEST FOR INFORMATION TO BE PROVIDED AT NORTH CAC – REFERRED TO ADMINISTRATION

Council Member Cox indicated he had made a formal request to the City Manager pointing out in May it will have been 5 ½ months since Rezoning Z-15-16 was sent back to the Planning Commission. He stated the Council nor the residents have received any updates. He asked the City Manager if staff could attend the North CAC meeting to provide an update. City Manager Hall pointed out he would work with the liaisons to the CAC.

BOARD OF ELECTION – COST FOR EARLY VOTING SITES – REQUESTED

Council Member Stephenson asked staff to reach out to the Board of Elections to see how much it would cost to have five early voting sites one in each district for three days each during Council elections.

RELOCATION POLICY – REQUEST

Council Member Branch asked if Council could be provided information on what is in place relating to the relocation policy notification relating to low income housing. City Manager Hall stated he would include that in an upcoming City Manager's report.

MAYOR – CONDOLENCES EXPRESSED

Council Member Thompson asked for prayers for the Mayor and her family on the death of her brother-in-law.

APPOINTMENTS

APPOINTMENTS – VARIOUS ACTIONS TAKEN

The City Clerk reported the following results of the ballot vote:

Arts Commission – City Clerk Smith indicated during the last meeting Jamie Dawson was appointed to the Arts Commission; however it has been determined he will not be able to serve therefore there are two vacancies. Pam Hartley has been nominated. Ms. Hartley received six votes (Crowder, Branch, Thompson, Stephenson, Baldwin, Gaylord).

Appearance Commission – One Vacancy – no nominees

Historic Cemeteries Advisory Board – Two Vacancies – Council Member Branch nominated Ruby Greene.

Human Relations Commission – One Vacancies – Emily Kisse – 5 (Crowder, Branch, Thompson, Stephenson, Baldwin)

Raleigh/Durham Airport Authority – Sepideh Saidi – 6 (Crowder, Branch, Thompson, Stephenson, Baldwin, Gaylord)

Stormwater Management Advisory Commission – Mark Senior – 3 (Crowder, Branch, Thompson); Todd Kennedy – 2 (Stephenson, Baldwin)

The City Clerk announced the appointment of Pam Hartley to the Arts Commission leaving one vacancy, Emily Kisse to the Human Relations Commission and Sepideh Saidi to the Raleigh-Durham Airport Authority. The other items will be carried over to the next meeting.

Substance Abuse Advisory Committee – Vacancy Announced. The City Clerk indicated she had received a note of resignation from Christopher Budnick. It will appear on the next agenda.

REPORT AND RECOMMENDATION OF THE CITY CLERK

MINUTES – VARIOUS – APPROVED AS PRESENTED

Council Member received in their agenda packet minutes of the April 4, 2017 Council Meeting, March 15, 2017 and April 5, 2017 Budget Work Sessions. Council Member Thompson moved approval as presented. His motion was seconded by Council Member Baldwin and a roll call vote resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote.

SURPLUS PROPERTY – 216 HECK STREET – RESOLUTION AUTHORIZING SALE ADOPTED

The City Clerk reported during the March 21, 2017 meeting, the City Council declared 216 Heck Street as surplus property and offered it for sale subject to the negotiated offer/upset bid process. The proposal was advertised in the News and Observer on March 24, 2017 and the city's website. All legal procedures have been followed and the time for upset bids has expired. It is recommended that the bid of \$7000. submitted by Zell and Malaney Lucas be accepted with the understanding that they will pay the advertising costs, they will provide a right-of-way dedication on Dart Lane to make the right-of-way consistent width and that the appropriate officials be authorized to sign instruments of conveyance. Council Member Thompson moved approval as outlined. His motion was seconded by Council Member Stephenson and put to a roll call vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor ruled the motion adopted on a 7-0 vote. See Resolution 463.

AGENDA MANAGEMENT SYSTEM

City Manager Hall pointed out a second item had been scheduled for the work session earlier today; however, due to time it was withdrawn. The item related to a new agenda management system. He pointed out approximately a year ago at the retreat, the City Council indicated they would like to move to a new agenda electronic format – paperless but one that is more accessible to all. He stated the staff had gone through the selection process and has selected BoardDocs. He talked about the selection process which involves several staff members reviewing the proposals. He stated staff is ready to move to the implementation phase. He pointed out there are multiple stakeholders involved who will be working with the vendor, staff, etc. He stated this will include individual meetings with Council members to talk about the process, etc. He stated the target roll out date will be one of the meetings in June. He stated we will probably run parallel systems, the existing and the new agenda system for two meetings. He stated this software is used in a lot of cities, talked about how we develop agenda items, how it can be used and how it will be more accessible to all. He stated in the City Manager's Office, City Attorney's Office, City Clerk's Office and various departments have been working on the implementation phase.

Council Member Stephenson questioned if the new system will do away with scanned documents which are not searchable. Chief of Staff Buonpane indicated BoardDocs can take all kinds of documents so there should be no need for scanning. You can upload everything. City Manager Hall indicated this software will give us the structure to implement paperless agendas. Various Council Members indicated they look forward to the new process.

MATTERS SCHEDULED FOR PUBLIC HEARINGS**SURPLUS PROPERTIES – VARIOUS LOCATIONS – DISPOSITION AUTHORIZED**

This is a hearing to receive citizen comments on the proposed sale of 28 city-owned properties in order to allow construction of 51 townhome units. The property is located within the bounds of Oakwood Avenue, and Tender, Waldrop, Fisher, Carver and Boyer Streets.

Following the hearing the Council may authorize a disposition of the property and authorization for appropriate City officials to sign conveyance documents. City Manager Hall indicated staff has a presentation available if the Council so desires. He pointed out this is the second phase of the sale of city owned properties. Council Member Thompson questioned if this had been previously advertised with it being pointed out it was advertised according to law. The Mayor Pro Tem opened the hearing, no one asked to be heard, thus the hearing was closed. Council Member Thompson moved approval as outlined. His motion was seconded by Council Member Baldwin and a roll call vote resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote.

ANNEXATION – 1820 AND 1824 TRAILWOOD DRIVE – HEARING – ORDINANCE AND RESOLUTION ADOPTED

This is a hearing to consider the petition annexation of property known as 1820 and 1824 Trailwood Drive. Following the hearing, if the Council wishes to proceed with the annexation it would be appropriate to adopt an ordinance annexing the properties effective April 18, 2017 and adoption of resolution placing the property in City Council Electoral District D. The Mayor Pro Tem opened the hearing no one asked to be heard thus the hearing was closed. Council Member Baldwin moved adoption of an ordinance annexing the properties effective April 18, 2017 and adoption of a resolution placing the property in City Council Electoral District D. Her motion was seconded by Council Member Branch and put to a roll call vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote. See Ordinance 700 and Resolution 464.

REZONING Z-39-16 – GREEN ACRES LANE – TO BE PLACED ON MAY 16, 2017 AGENDA

The proposal was first received by the City Council on January 17, 2017 and appeared on the March 7, 2017 public hearing.

This is a hearing to consider a request by David F. Green Sr., Mary Mebane Galloway and Sherry Kerman Bunch to rezone approximately 2.5 acres from Residential-10 (R-10) to Industrial Mixed Use - 3 Stories - Conditional Use (IX-3-CU). The property is located on the east side of Green Acres Lane north of N. New Hope Road. The Planning Commission had recommended approval of the request.

At the February 7, 2017 hearing Council agreed to hold the hearing open and place the item on the February 21, 2107 agenda for further consideration. During the February 21, 2017 meeting, at the request of the applicant, the hearing was held open and placed on the March 7, 2017 agenda for further consideration. During the March 7, 2017 meeting it was reported the applicant had requested that the hearing be held open and placed on this agenda for further consideration.

At the conclusion of the public hearing, the Council may act on the request, refer to committee or hold for further discussion.

Planner Bynum Walter indicated the applicant has requested that this be deferred for an additional 30 days. Council Member Gaylord moved approval of the request for deferral for 30 days. His motion was seconded by Council Member Baldwin and put to a vote which passed with all members voting in the affirmative except Mayor McFarlane who was absent and excused.

REZONING Z-32-16 – HILLSBOROUGH STREET – HEARING REMAIN OPEN – ITEM REFERRED TO GROWTH AND NATURAL RESOURCES COMMITTEE

This item was first submitted to the City Council on February 21, 2017 and appeared on the March 7, 2017 public hearing.

This is a hearing to consider a request by Kathleen C. Hammon to rezone approximately 0.34 acres from Neighborhood Mixed Use-Four Stories-Shopfront (NX-4-SH) and Residential-6 (R-6), both with Special Residential Parking Overlay District (SRPOD) to Neighborhood Mixed Use-Five Stories-Shopfront-Conditional Use (NX-5-SH-CU) and Residential Mixed Use-Three Stories-Conditional Use (RX-3-CU), both with special residential parking overlay district (SRPOD). The property is located on the northeast corner of Hillsborough Street with its intersection of Bagwell Avenue. At the March 17, 2017 meeting, the applicant requested that the hearing be held open and placed on this agenda for further consideration.

Once the hearing is closed the Council may take action to approve, deny or refer the item to committee.

Mayor Pro Team Crowder asked that the hearing be held open and the item referred to Growth and Natural Resources Committee. Without discussion it was agreed to follow that course of action.

REZONING Z-47-16 – RANDOLPH DRIVE – HEARING – APPROVED – ORDINANCE ADOPTED

The following item was first presented to City Council on March 7, 2017 and appeared on the April 4, 2017 public hearing.

This is a hearing to consider a request from multiple property owners to rezone approximately 12.15 acres from Residential-4 (R-4) to Residential-2 (R-2). The property is located on Randolph Drive between its intersections with Glenwood Avenue and Perquimans Drive.

At the April 4, 2107 Council meeting, the hearing was postponed and it was directed that it be placed on this agenda.

When the hearing is closed, Council may take action to approve, deny or refer the item to committee.

Planner Walter presented the case explaining the request, location, existing development, aerial views, what is allowed under existing verses proposed zoning, views from various locations around the property, Future Land Use Map, Urban Form Map, Comprehensive Plan Analysis and the Planning Commission's recommendation of 7-2 to approve the case. The CAC voted 18 to 0 in support. In response to questioning, she stated the applicant now owns the property.

Mayor Pro Tem Crowder opened the case.

Attorney Lacy Reeves, 150 Fayetteville Street, pointed out he represents ten owners on Randolph Drive who filed the case in response to a builder subdivision of one of the properties into three lots. The original owner had filed a variance request with City Attorney McCormick pointing out that has been withdrawn. Attorney Reeves pointed out he is pleased to report the initial objection is no longer valid as the subdivision will be developed into two lots. He stated the original property owner who filed the subdivision does not own the property now. He stated they would like to see the property down zoned to R-2 and any new lots that are developed would have to be at least one-half acre in size. He explained the Planning Commission's vote and pointed out the only party who objected to the case has withdrawn their opposition. Attorney Reeves stated he is not aware of any opposition.

Mayor Pro Tem Crowder expressed appreciation to all for working so hard to resolve this issue. No one else asked to be heard thus the hearing was closed. Council Member Gaylord moved approval of Z-47-16. His motion was seconded by Council Member Branch and a roll call vote resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Mayor Pro Tem ruled the motion adopted on a 7-0 vote. See Ordinance 701 ZC 745.

REZONING Z-28-16 (MP-3-16) – NORTH HILLS EAST PLANNED DEVELOPMENT – HEARING – APPROVED AS AMENDED

This item was first presented to City Council on March 21, 2017 and a hearing was scheduled for April 4, 2017. Following the hearing it was directed that the hearing be held open and placed on this agenda for further consideration.

The hearing was held to consider a request from multiple property owners to rezone approximately 84.29 acres from Planned Development (PD) and Office Mixed-Use – 3 Stories –

Green Frontage with Special Highway Overlay District 2 (OX-3-GR w/SHOD-2) and Conservation Management (CM) to Planned Development (PD). The property is located on the northeast quadrant of the intersection of Six Forks Road and I-440 bounded by Saint Albans Drive.

Following the hearing, the Council may take action to approve, deny or refer the item to committee.

Council Member Gaylord pointed out he has previously been excused from voting on this issue therefore left the table.

Mayor Pro Tem Crowder pointed out the hearing had been left open and she thought there were some questions of the applicant.

John Kane responded to questions relative to additional plantings, setbacks or lack of setbacks on tracts O&R and S&U with TJ Barringer explaining on Tracts O&R there are no setbacks and S&U it is 32 feet back of curb or 16 feet from the right-of-way. The stream and the buffer on the north side of St. Albans and the desire to have tracts O&R consistent with the rest of North Hills East was talked about by Mr. Kane and Mr. Barringer. In response to questioning from Council Member Stephenson, Attorney Mack Paul, representing the applicant, pointed out staff could address the planting requirements as outlined in the UDO. He talked about under story trees, additional plantings mostly on tracts O&R, pointed out his applicant is looking at how to supplement the plantings, focusing on Tracts Q&R. He stated his client is committed to doing additional landscaping past code requirements. He talked about C.2 and C.3 requirements with Council Member Cox asking about a comparison to what is Pamlico Drive. Planning Director Bowers talked about C.2 requirements including 15 foot width, no fence or yard requirements, spacing for shade trees, etc.; C.3 is a 10 foot wide yard which can contain walls does not require tree plantings, no berms being allowed.

Lengthy discussion took place on the landscaping requirements, setbacks, etc., as it relates to Tracts S&U and Q&R and the difference in landscaping requirements C.2 and C.3. The width of the sidewalk, committing to C.2 and C.3 and requirements of the landscaping code were talked about. The difference in the number of shrubs and under story trees and whether they are in the right-of-way, behind the curb, where additional setback is and is not, the fact that some of the tracts have 0 setback consistent with the rest of St. Albans, planting as needed, whether there is room for a second row of trees, whether there could be plantings on private property and the various requirements as it relates to trees and shrubs and how they are placed, whether there is any room for vegetation was talked about at length. Mr. Barringer talked about the room between sidewalks and the building under C.2 and C.3, the possibility of grouping the shrubs, how the setback would be different locations of trees and shrubs, stoops, under story trees and locations. Whether the possibility of adding shrubs in the right-of-way or on private property was spoken to. Street trees in the right-of-way and additional trees being planted along the corridor and the desire to keep the streetscape consistent with what is already built was discussed.

Council Member Baldwin talked about people having access to the street and the safety of the stoops and keeping the trees spaced to allow for safe access from the stoops and the desire not to push the landscaping to the point that it presents unsafe conditions. The need to have enhanced landscaping over what is required was talked about by Council Member Thompson. Mr. Barringer talked about the number of trees per 100 feet, the spacing, bundling the trees, etc.

Mayor Pro Tem Crowder pointed out what she is hearing as it relates to additional landscaping is that Tracts S&U would be meeting C.2 standards, Tracts Q&R would meet C.2 standards and leave the option of bushes being planted on the private property but shade trees being within the right-of-way at 4 per 100 feet and dumpsters not being visible from St. Albans.

Mayor Pro Tem Corridor pointed out since there was opposition at the last meeting and she would give three minutes for the opposition to speak.

Approximately 20 people stood in opposition to the request.

Jimmy Williams highlighted the following statement:

I live at 508 Tufts Court in Woods of St. Albans. I am here to attempt to defend my neighborhood from John Kane's current efforts to add almost as much new, finished square footage as there is in Crabtree Valley to an established suburban area off of a two lane road halfway between already heavily developed Six Forks Road and Wake Forest Road.

Somehow this issue has been twisted into being an argument over whether Mr. Kane builds nice projects. This is not about North Hills East-it's already there for the most part. This is about the infrastructure in this area that is already overloaded and the scale of the project which is incompatible with the low density development that already exists there. This is about a zoning collision that in the past the City of Raleigh has worked to avoid, and which the City's own Comprehensive Plan recommends against.

No matter how often Mr. Kane claims that he is trying to be a good neighbor it is important to remember that he does not live in North Hills. He lives in a large home on a large lot surrounded by other large homes on large lots among towering oaks, there here is absolutely no chance that he will ever need to worry about cut-through traffic much less someone building five story apartment buildings behind his home. The fact that, the only thing his neighborhood lacks is gates. May be he can do something about that, too, but no, North Hills Is not his neighborhood; it's his cash cow.

Overtaxed infrastructure, heavy cut-through traffic and the general disruption of a relatively peaceful neighborhood are the problems that this highly overcrowded development will exacerbate. The buildings are too big and too close to the road and the existing homes in the neighborhood, and no one has yet explained the need to keep cramming so many buildings into an established suburban setting.

Mr. Williams presented maps showing the area, provided information relative to the photos pointing out they illustrate the impact of the existing buildings on the homes along Dartmouth. He stated his situation are the people who live on Tufts Court in Woods of St. Albans will have less buffer between them and the new buildings than the ones in the photos he presented from Dartmouth Road.

No one else asked to be heard thus the hearing was closed.

Council Member Thompson talked about discussions at the Midtown CAC, their support of the rezoning with conditions, etc. He stated Council Member Stephenson had already asked for a budget note for funding of the small area plan. He stated with the development of a small area plan, the Six Forks corridor improvements as well as the modifications being proposed by the State as it relates to the Wake Forest/Beltline interchanges which should be started within a reasonable time frame, the fact that Hardimont is scheduled for traffic calming and the Council has already authorized several four-way stops, the fact that the City of Raleigh will gain additional open space, additional greenway, etc. at no cost to the citizens, he would move approval of Z-28-16 (MP-3-16) based on the landscaping improvements as was outlined by the Mayor, (Tracts S&U would meet C.2 standards; Tracts O&R would meet C.2 standards and leave the option of bushes being planted on private property but shade trees being within the right-of-way at 4 per 100 feet) and dumpsters will not be visible along St. Albans Road. His motion was seconded by Council Member Baldwin. Council Member Thompson pointed out he made his motion based on the fact that the City has made a commitment to fund the small area plan. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused.

City Manager Hall asked about the source of funding with it being pointing out a budget note has been requested. City Manager Hall stated staff would bring back the information as a part of the budget recommendation that is the source of funding for the small area plan. See Ordinance 702 ZC 746.

CLOSED SESSION

CLOSED SESSION – HELD

Mayor Pro Tem Crowder pointed out a motion is in order to enter closed session pursuant to G.S.143-318.11(a)(4) for the purpose of considering the location or relocation of a business or industry to Raleigh and to discuss any incentives that may be involved in any such move and pursuant to G.S.143-318.11(a)(5) for the purpose of considering the acquisition of property in the vicinity of the Raleigh Convention Center. Council Member Stephenson moved approval of the motion as read which was seconded by Council Member Branch and put to a vote which resulted in all members voting in the affirmative except Mayor McFarlane who was absent and excused. The Council went into closed session at 2:40 p.m.

The Council reconvened in open session at 3:11 p.m. with Mayor Pro Tem Crowder pointing out the Council received information on the two items which it went into closed session and gave staff direction as to how to proceed.

Adjournment: There being no further business, Mayor Pro Tem Crowder announced the meeting adjourned at 3:12 p.m.

Gail G. Smith
City Clerk

jt/CC04-18-17