Summary of the Planning Commission's
Committee of the Whole Meeting
December 3, 2013, Room 305 (RMB), 9:00 AM

Members present: Chair Fleming, Mr. Braun, Mr. Buxton, Mr. Fluhrer, Mr. Lyle, Ms. Mattox, Mr. Schuster, Ms. Sterling Lewis, Mr. Swink and Mr. Terando.

Staff members present: Deputy Planning Director Bowers, Planning Manager Crane, Planner Brantley and Administrative Support Staff Eason.

Z-27-13 Bland Road.

This site is located on Bland Road between its intersections with Wake Forest Road to the west and Trently Court to the south.

The applicant is requesting to rezone the property from R-6 to OX-3 CU.

Planner Brantley gave a brief overview of cases regarding Planning study; met with property owners regarding 5 parcels which this one; favorable to highly favorable to make these changes and is not consistent with Future Land Use Map.

Ms. Mattox wanted clarification that this was fairly close to the Wal-mart.

Ms. Sterling Lewis asked for description of nature of Bland Road.

There was further discussion regarding Bland Road extension; is this in keeping with current Comprehensive Plan and the 6 feet setback.

Mr. Brantley stated that it would be easier for someone to assemble these properties instead of them being pieced together.

Mr. Braun asked why not look at the whole area instead of the small portion in question.

Mr. Brantley stated that the lots are quarter acre lots and an older area and only two are occupied.

There was further discussion regarding property owner notification; multi-family or office and residential.

Mr. Brantley stated that notice was sent to owners within 100 feet of property and property owners were invited to meeting. He stated that it could be vertical mixed use.

Mr. Buxton questioned whether we wanted to keep encroaching upon this area and that he'd like to have a study to see where we could go in the future.

Mr. Brantley responded regarding uses and limits of use.

There was discussion of zone plan for the Bland Road and the feasibility of contacting property owner or do zone by zone.

Mr. Lester Stancil representing the applicant gave a brief overview.

There was discussion of City initiated re-zoning; potential impact to 1 or 2 of the lots; traffic impact on Bland Road and whether City could initiate a Traffic Impact Analysis.

Mr. Brantley stated there were five lots, the fifth being a triangular lot and there is a separation of the lots on the residential area. Also, after the meeting on Wednesday, would be able to come back with more feedback from larger neighborhood.

There was further discussion regarding setbacks; and what we're trying to promote.

Mr. Bowers stated that Bland Road has no designation, currently Commercial with no approach for frontage as long as setbacks are met; can be place anywhere on site and recommendation would not be to limit frontage.

All agree that Comprehensive approach would be a better approach and would rather not see lot after lot pieced together.

Mr. Bowers stated that the Planning staff can offer build out analysis at next meeting; staff feels comfortable with amendment to Future Land Use Map.

Mr. Brantley stated that a decision needs to be made by January 22 to act on rezoning request, unless a time extension is requested.

There was discussion of adding a small area study to the departmental work plan; clarification that little triangular area seems to be doctor's offices, dentist offices and the like and whether staff looked at large space needs.

Mr. Brantley stated yes, we looked at the area in a more comprehensive way.

Mr. Bowers stated that 5 lots were somewhat easier pieces of land to assemble; house is older; not a lot of signs that the houses are going to be re-invested in and not a lot of infrastructure necessary and may be changing street setbacks in some way and the recommendation at this point is to hold decision on zoning until after meeting with property owners tomorrow night.

Recommendation: Motion to defer action on zoning and defer action on Future Land Use amendment to allow staff input from neighbors.

Motion: Ms. Mattox

Second: Mr. Buxton

Vote: 10-0

<u>Z-28-13 Ray Road.</u>

This site is located on Ray Road, west side, north of its intersection with Strickland Road and south of its intersection with Maplefield.

This is a request to rezone 2 adjacent properties from R1 with SHOD-1 and FWPOD to R2 CU with FWPOD.

Planner Brantley gave a brief overview of the case. A VSPP has been filed for this case.

Mr. Fleming posed questions regarding the location of the watershed.

Mr. Brantley responded that all areas south of 540 is in the secondary watershed; not as critical as primary watershed (much closer to Falls Lake).

Mr. Lyle questioned the zoning to east and west of the property.

Mr. Brantley stated R-4 west, 1 acre equivalent and Rural Residential R-1 east of City's jurisdiction.

Mr. Braun asked how Windcross Subdivision met the 2 acre lot standard.

Mr. Brantley responded large amount of open space so total development brought it in one dwelling per acre.

Ben Brown responded that he believes there is some sort of split and the school and Windcross use part of the open space.

Mr. Terando asked if there were different nutrient run standards than the rest of the city.

Mr. Brown stated that reduced nitrogen to lower level factor in phosphorous; reduce 60% on site then buy down the rest.

Mr. Terando asked if city attempted to acquire acreage or easement in this to turn some of land into protection for watershed.

Mr. Brown and Mr. Brantley were not sure.

Mr. Terando asked if there was any communication between Public Works and Parks and Recreation.

Mr. Brown responded that there wasn't.

There was further discussion regarding concerns of flooding in the area and concerns of Torry Ridge neighbors of a parcel of Ray Road.

Mr. Brown responded there were no cases of severe flooding down stream.

Jarrod Edens representing the applicant gave a brief overview regarding original intent and intent now to go to R-2; building of a pump station and providing enough units to cover the cost of the pump station; have buffer to protect neighbors and rezone 2 adjacent properties.

Mr. Braun asked what had changed since last time we met.

Mr. Edens responded, the 50 ft. buffer commitment.

There was further discussion regarding density issue; open space; meeting with Public Utilities Department; performance standards; total of R-1 standard and looking at all policies.

Mr. Edens responded that Windcross is current 23.8 % can make a commitment to 40% open space.

There was further discussion regarding concerns of evaluation of septic systems and need of an objective evaluation from applicant.

Mr. Fleming questioned what we were asking the applicant to come back with.

Mr. Bowers responded that staff needs to confer with Utilities and Stormwater staff.

There was further discussion regarding impervious surfaces; meeting goals; pollutants; clean watershed to support clean drinking water; performance based standard enforceability and increase open space with no buy down.

Mr. Edens responded that they could limit the impervious surface in the subdivision.

Jeff Aiken also representing the applicant responded regarding septic systems and number based on septic; unique band of open space and meet or exceed the run off.

Matthew Star, Upper Neuse Riverkeeper gave a brief overview regarding the way this case differs from Lifestyle Fitness; water supply very important to protect; blue-green algae; water quality at Fall Lake; commends City of Raleigh for recommendation of 1 dwelling per USGS blue line on site; more erosion leads to even worse water quality and believes allowing rezoning will have a negative impact.

Mr. Star is open to putting the applicant in touch with Dr. Hunt and other experts.

Phil Gianfortone representing the public spoke regarding being in the area for 15 years; no issue with septic; main concern is very sensitive, massive run off when it rains; in favor of 17 lots with well and septic; previous owners stripped all the trees; believe no matter what goes in there will be a problem and would like to see a study done.

Recommendation: Motion is to defer to allow applicant to bring back as much additional information and data as needed to make a definitive decision.

Motion: Mr. Schuster

Second: Mr. Braun

Vote: 10-0

Meeting Adjourned 11:00 am

Chenetha Eason –