Summary of the Planning Commission's
Committee of the Whole Meeting
November 4, 2014,Room 305(RMB), 9:00 AM

Members present: Mr. Braun, Mr. Fluhrer, Mr. Schuster, Chair Sterling Lewis, Mr. Swink, Mr. Terando and Mr. Whitsett.

Members not present: Mr. Buxton, Mr. Fleming and Mr. Lyle

Staff members present: Interim Planning Director Bowers, Planning Manager Crane, Planner Hill, Transportation Planner Lamb, Deputy City Attorney Botvinick and Administrative Support Staff Eason.

Z-35-13 Hillsborough Street

This site is located on Hillsborough Street, north side, between Montgomery & Furches Streets.

This is a request to rezone property from Office & Institution - 1 Special Residential Parking overlay districts (O&I - 1 & SRPOD) to Neighborhood Mixed Use-5 stories-Urban Limited-Conditional Use with Special Residential Parking overlay district (NX-5-UL-CU w/SRPOD).

Mr. Fluhrer was recused.

Planner Hill presented the case regarding properties located nearby, street frontage from Montgomery and Furches Streets and proposed conditions.

There was discussion regarding what the zoning would be under proposed remapping process.

It was stated that the zoning for this property under the proposed remapping would be designated OX-3.

Mack Paul representing the applicant introduced Mr. Will Cowherd to speak in favor of the project.

Mr. Cowherd owns the Japanese restaurant adjacent to the site. He stated that he is very happy to be in this district. It encourages growth in the area. Mr. Cowherd stated he's in favor of the project moving forward and would like to see all parties involved meet some kind of common ground. Mr. Cowherd also stated that his cousins own the Arby's and Snoopy's nearby and both are in favor of this project.

Mack Paul representing the applicant gave a brief overview of the case regarding meetings with the neighbors who are concerned about the project; 2030 Comprehensive Plan Vision Statements; Business Improvement District; height; mass; comparison of current height versus the proposed; step downs; buffers; setback and transitions; properties abuts single family homes; building use; issues concerning cut through traffic on Clark and under 33% of units being 4 bedrooms.

There was public comment in opposition of the case regarding a proposed left turn onto Clark; neighborhood streets and traffic issues.

There was discussion regarding clarification of purpose of designated area; height limit and parking and how to mandate someone not using a car in this area.

There was further public concern of parking; targeting and marketing to undergraduates and young professionals and possibly increasing public transportation routes in the area.

Mr. Paul responded regarding prohibited uses such as dormitories and placing cap on number of units and placing reasonable conditions.

Transportation Planner Lamb responded regarding working with Wake County; possibly increasing bus route frequency and that Hillsborough Street would be a priority.

Tom Worth, representing the neighborhood spoke in opposition of the case regarding its incompatibility; potential of student occupancy; the Delmonico and Hubie's homes being adjacent to the project; buffers; transitions and neighborhood meetings.

There was discussion regarding what would be an acceptable project in this area; clarification of height based on solar angle and by right, what could an applicant build.

Mr. Worth stated that the old code and UDO were not clear as far as height.

Mr. Bowers gave a brief clarifying statement regarding transition standards.

There was further discussion regarding height versus core to edge; ingress/egress relating to access from Montgomery and no access from Furches; stories versus height and setbacks.

Mr. Swink stated that any project in this area would generate some traffic and that it is very important to be compatible. He is in favor of the project.

Mr. Whitsett responded that the applicant has done a lot of work regarding buffer and height; overlay of transit corridor; being consistent with Land Use Map and Urban Form. He is in favor of project.

Mr. Schuster responded regarding the role of the Planning Commission and is in favor of the case.

Mr. Terando responded that he appreciates the involvement of the neighbors and spoke regarding benefits of project to the City; goals of Comprehensive Plan and the area having good bicycle and transit access and good pedestrian access. He is in favor of the case.

Mr. Braun responded regarding the job of the Committee to evaluate the Comprehensive Plan and asked if applicant would add a condition of 30 ft. buffer and is in favor of case.

Ms. Sterling-Lewis is also in support of case.

Recommendation: There is a recommendation to report this case to the full Planning Commission. The Committee suggests the condition of 30 ft. setback all the way to Montgomery Street and a maximum dwelling unit cap.

Motion: Mr. Terando

Second: Mr. Whitsett

Vote: 6-0

Meeting Adjourned 11:17 a.m.

Chenetha Eason