PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on March 25, 2014 at 9:00 A.M., in Room 201 of the Municipal Building.

Planning Commission Members Present: Mr. Braun, Mr. Buxton, Mr. Fluhrer, Mr. Lyle, Mr. Schuster, Ms. Sterling- Lewis, Mr. Swink, Mr. Terando and Mr. Whitsett.

Members not present: Mr. Fleming

Staff Members Present: Deputy Planning Director Bowers, Planning Manager Crane, Planner Hill, Planner Brantley, Deputy Attorney Botvinick and Administrative Support Staff Eason.

AGENDA ITEM #1: INVOCATION

There was a motion to move Zoning Case Z-4-14 to beginning of the agenda as the applicant may ask for deferment. Mr. Swink made a motion and Mr. Buxton seconded. The vote was unanimous 9-0.

AGENDA ITEM # 2(B): REZONING

AGENDA ITEM # 2(B) 4: Z-4-14/Hillsborough Street, west of Myra Drive (Walnut) (West CAC)**

The site is located south of Hillsborough Street, at the west end of Myra Road.

This request is to rezone property from O&I-2 CUD w/ SHOD-1& CM CUD to RX-4-CU w/ SHOD-1

Planner Hill presented the case.

Tom Worth representing the applicant gave a brief overview of the case.

There was discussion whether the applicant would like the case to be held at the table or move forward to the Committee Of The Whole.

Mr. Worth stated that it would be better for all that this be held for the next Planning Commission Meeting.

Mr. Lyle made a motion to defer the case. Mr. Terando seconded the motion. The vote was unanimous 9-0.

AGENDA ITEM # 2: NEW BUSINESS

AGENDA ITEM # 2(A): TEXT CHANGE COMMITTEE REPORT

AGENDA ITEM # 2(A) 1: TC-1(B)-14/Signage

This request is to amend the Part 10 Zoning Code and UDO to further regulate signage posted in windows and on vehicles.

Ms. Sterling Lewis gave a brief summary of the Text Change Committee Meeting regarding signage and recommends the following regarding this text change be separated into two parts: one to address vehicular signage TC-1(A)-14 and one to address window signage TC-1(B)-14; requesting the Council appoint a 10 member stakeholder group and requesting a time extension.

Mr. Crane responded that a recommendation was needed to ask for the convening of a work group and the recommendation for more time.

Ms. Sterling Lewis made a three part motion: to request time extension, that the City Council appoints a special stakeholder group to assist in review of the window signage regulations and to separate the text change into two parts; one to address window signage and one to address vehicular signage. Mr. Lyle seconded. The vote was unanimous 9-0.

AGENDA ITEM # 2(B) 1: Z-33-13 – Western Boulevard, north side, northeast corner of Chaney Road (Bushy) (West CAC)**

The site is located on Western Boulevard, north side, in the northeast quadrant of its intersection with Chaney Road.

This request is to rezone property from R-10 with SRPOD to NX-3 CU with SRPOD.

Planner Brantley presented the case.

Tom Worth, representing the applicant gave a brief overview of the case regarding the 50 ft. setbacks; commissioning of a traffic study; marginally incompatible in proximity to the Circle K; CAC vote: 10 against, 4 in favor and 3 in abstention and the applicant's belief that this is reasonable and in the public interest.

Mr. Whitsett asked if the applicant had any concrete data of the reworking of the belt line area.

Mr. Worth stated that he had not requested that engineers go back behind what the City of Raleigh staff had done.

Mr. Bowers stated that the City did not have a final functional design on that.

There was further discussion of how the stretch leading to the beltline would be impacted by this proposal and whether there has been positive discussion with the Circle K.

Mr. Worth stated that he did not want to impede traffic or the cross access and that there was some discussion of placing a speed bump and that he has had positive communications with the Circle K.

Mr. Jerry Goldberg, adjoining property owner, is in opposition of the case regarding the buffering; problem with height; 39 foot building is a pretty big structure to be right next to residential properties; not consistent with the Future Land Use Map and incompatible with the Comprehensive Plan. He spoke regarding outdoor storage area and dumpster; access at Chaney Road and issues with parking and lanes of traffic because it's all residential and frontage onto Hillsborough Street; creating more strip mall and City discourages strip mall applications. Mr. Goldberg also stated that it might be a good idea to have some meetings at night.

Vice Chair Schuster asked Mr. Goldberg to understand that this is rezoning case, not a site plan and please limit comments to the rezoning and also stated that the suggestion of timeframe of meeting is a discussion for the City Council.

Mr. Worth responded regarding the Traffic Analysis; net being 4 lots; 6 ft. fence; normal Auto Zone is 25 feet in height; the City will measure height from predevelopment; UDO will call for and require buffering and no outdoor storage is contemplated and believes this is a reasonable case.

There was discussion of what the fall of the property is and how will deliveries be made and access on to Chaney Road.

Mr. Worth responded regarding box trucks being used for deliveries and that the vehicular access ingress and egress is proposed onto Chaney from Western.

There was further discussion of the City vision for area between Gorman Street and Western Boulevard around Blue Ridge Road.

Mr. Bowers stated that the City does not have a detailed small are study so any policy guidance is contained within the elements of the Comprehensive Plan. The UDO is working to improve the pedestrian and vehicular areas on our city road.

There was discussion regarding the concern of the location of the Circle K and the growth in this area and intersection widening.

Mr. Bowers responded regarding the neighborhood mixed use issue and the pattern of land subdivision not being compatible to the traffic pattern and the large number of land owner.

Ms. Sterling Lewis made a motion to recommend approval, citing that the request is reasonable and in the public interest. The request will facilitate the redevelopment of an area with older housing stock; the area is generally commercial in nature and not acceptable for residential uses; and the request is similar to the existing character of development in the Western Boulevard and Method Road area. Mr. Braun seconded the motion. The vote was not unanimous 8-1. Mr. Terando was opposed

Mr. Lyle made a motion to re-examine the future land use map designation in the area. Mr. Terando seconded. The vote was unanimous 9-0.

AGENDA ITEM # 2(B) 2: Z-35-13 Hillsborough Street, north side, between Furches and Montgomery Streets (Beaver SW) (Wade CAC)**

The site is located on Hillsborough Street, north side, between Montgomery & Furches streets.

This request is to rezone property from O&I-1 w/ SRPOD to RX-5-PL-CU w/ SRPOD.

Mitch Fluhrer was recused

Planner Hill presented the case regarding setbacks along Hillsborough Street; proposed conditions and outstanding issues.

There was discussion regarding the Comprehensive Plan recommendations.

Mr. Bowers responded that staff was looking for a more urban approach to this case.

There was further discussion regarding existing use being Office and Institution General Use; whether hotel would be allowed under Office and Industrial I or II; and discussion regarding nearby planned transit facilities.

Mack Paul, representing the applicant along with David Brown gave a brief overview regarding parking limit frontage; 4 story building at Hillsborough Street; urban frontage; looking at ability to have retail at the corner; building height issue and the conditions being offered and they are anticipating more work to be done and will be attending the Wade CAC meeting this evening.

Guy Harvey representing the public spoke in full support of this proposal.

Tom Worth, representing the neighbors on Furches believe RX-5 is incompatible; not opposed to the property just would like it to be more sensitive to neighbors presence.

Mr. Swink responded regarding the Historic nature of the properties. He stated he would like the applicant to address the three structures on this property that are contributing structures to the historic district.

Applicant preference is to hold this case at the table, giving more time.

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

AGENDA ITEM # 2(B) 3: Z-3-14 – Holden Road, west of Blue Blossom Drive (Neuse)**

(Forestville CAC)

The site is located on Holden Road, west of Blue Blossom Drive.

This request is to rezone property from R-4 & AP to R-6

Planner Hill presented the case.

There was discussion regarding open space; flood plain and public access and walkability and the goal of Parks and Planning working together. The request is consistent with the Comprehensive Plan.

Mr. Hill responded that the area was in the flood plain and may remain open space.

There was further discussion regarding the provision of sewer stub since taking the pump station off line.

David Dolezsar representing the applicant gave a brief overview regarding sewer stub and stated that this was the plan to provide sewer stub.

Mac McIntyre responded there is sufficient capacity and that 5 of the acres will be left as open space, there is 15 acres to be developed.

Jennifer Berry representing the Enclave at Forestville Farms spoke in favor of this case.

There was no opposition.

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

AGENDA ITEM # 3: APPROVAL OF MINUTES: March 11, 2014 Planning Commission Minutes.

Mr. Buxton made a motion to approve the March 11, 2014 Planning Commission Meeting Minutes. Mr. Whitsett seconded the motion. The vote was unanimous 9-0.

AGENDA ITEM # 4: OTHER BUSINESS

AGENDA ITEM # 4(B): REPORT FROM THE MEMBERS

Mr. Swink and Mr. Buxton will be out of town for next week's Committee Of The Whole Meeting. Mr. Terando stated that there will be a Public Open House meeting at Chavis this evening and is inviting all fellow Commissioner to come out.

AGENDA ITEM # 4(D): REPORT FROM THE PLANNING DIRECTOR

- There were no items for City Council – no actions taken.
- Comprehensive Plan Committee will be deliberating the Text Change on Storage

AGENDA ITEM # 4(E): Committee Agenda Items

Vice-Chair Schuster briefly announced the upcoming committee meetings.

AGENDA ITEM # 5: ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:08 am.

Respectfully,
Ken Bowers, AICP
Deputy Planning Director

Transcribed by: Chenetha Eason