PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on November 12, 2014 at 9:00 A.M., in Room 201 of the Municipal Building.

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

Staff Members Present: Interim Planning Director Bowers, Planning Manager Crane, Planner Hill, Planner Ekstrom and Administrative Support Staff Eason.

AGENDA ITEM #1: INVOCATION

AGENDA ITEM # 2: COMMITTEE OF THE WHOLE REPORT

AGENDA ITEM # 2(A) : Z-35-13 – Hillsborough Street (Beaver Creek SW)(Wade CAC)**

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

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

A Valid Statutory Protest Petition (VSPP) has been filed against this case.

Mr. Fluhrer was recused.

Ms. Sterling Lewis gave a brief overview of the case as presented at Committee of the Whole and the recommendation to bring the case before the Full Planning Commission.

Mack Paul representing the applicant gave a brief overview of the case regarding the aerial elevation of the building; site access; tree conservation; added conditions of 30 ft setback and cap of number of units as suggested by the Committee Of The Whole and other minor edits.

Tom Worth representing the neighborhood gave a brief statement regarding the project that despite the progress made the scale of the project is not consistent and the project is overwhelming for the neighborhood and believes the declining values would be devastating.

There was no further public comment.

Mr. Buxton responded regarding previous concerns of height; buffers and edge conditions.

Planner Hill responded regarding the 50ft. buffer along the townhomes; provisions for 30 ft. buffer and vegetation and whether transition is required in multi-family under the New UDO.

There was further discussion regarding conditions 22 and 23 and whether they need to be tied together.

Mr. Paul responded that staff has asked that applicant remove conditions of right of way dedication, which will be reviewed at site plan stage.

Mr. Schuster made clarifying remarks regarding minimum articulation.

Mr. Terando made a motion to approve the case with revised conditions as stated. Mr. Braun seconded stating the case is consistent with the Comprehensive Plan. Additionally, the request represents an increase of multi-family housing near NC State and Meredith College; is located in a transit rich environment and creates additional retail opportunities. The vote was unanimous 9-0.

AGENDA ITEM # 3: NEW BUSINESS

AGENDA ITEM # 3(A): REZONING

AGENDA ITEM # 3(A) 1: Z-29-14 – Forestville Road (Tom's Creek) (Forestville CAC) (VSPP)**

The site is located on Forestville Road, between Hartham Park Avenue and Lillie Liles Road.

This request is to rezone property from R-4 to R-10 CU.

Planner Ekstrom presented the case.

There was brief discussion regarding whether there were any plans to widen Taylor Ridge Road or Forestville Road.

It was stated that there was no plan for Taylor Ridge Road but there is a plan to widen Forestville Road to 4 lanes. There is no specific timing for the road widening; however the developer will be required to accommodate the widening.

Michael Birch representing ther applicant gave a brief overview of the case regarding its consistency with the Future Land Use Map; no outstanding issues; proposed conditions and the 2 subdivisions rezoned prior to this project and addressing concerns heard at neighborhood meeting regarding traffic; proposed access point on Forestville Road; CAC not meeting until January 2015 and City of Raleigh Flood Study on record.

Daniel Haberek in opposition of the case asked for a show of hands from those in attendance who were also in opposition. There were quite a few. Mr Haberek stated that the case was not consistent or compatible is not reasonable or in the public's best interest. He stated that is main concern was of a possible connector road at Canyon Drive.

Sherman Biggerstaff also in opposition responded regarding flood levels in the neighborhood (already having issues with flooding) and is requesting a full flood study be done for the area. He stated he is also against higher density residential.

There was discussion regarding R-10 and R-4 regarding density; limitation of impervious area and analysis of potential lot yield.

Mr. Biggerstaff responded that there were seven indicators to follow.

Mr. Schuster gave a brief summary of concerns heard to this point and asked that in the interest of time that any others wishing to speak please do so without repeating any concerns mentioned prior.

Sandra Burnette spoke in opposition regarding owning 13 acres nearby the project and feeling somewhat responsible for the request coming before at this time.

Don Kerrick in opposition regarding the run off from nearby stream which directly affects his property.

There was discussion of previous zoning being R-30, which is a Wake County zoning, allows for very low density.

Larry Matthews of Chesterfield Village spoke in opposition regarding traffic concerns, estimating 1200 car trips per day; neighborhood have no sidewalks and is asking the City to deny this request and preserve the uniqueness of Chesterfield Drive.

Tim Rappensberger in opposition stated his concern is of property value and that the proposed is not consistent with what is there now.

Angela McCarty also in opposition regarding historical value of the area; cemetery on property; Indian burial grounds and items found on property from the Civil War with a lot left to be discovered.

Mark Bradley opposed regarding ground water quality; all neighbors on well and is concerned with what will happen once construction starts.

Mr. Birch responded to the neighborhood concerns regarding Wake County and Raleigh jurisdictions; cemetery; density, traffic; flooding, ground water and property value. He responded regarding flood study being updated if needed; proposed lot sizes compatible with Highland Creek and Stonegate; blasting is regulated by City Of Raleigh and the Cemetary will be considered as part of the 20% open space that is being offered.

There was further discussion regarding flooding concerns; buffer along creeks and tributaries.

Ben Brown responded that open space counts as foundation of flood study and that staff does not usually ask for larger buffer.

Mr. Fleming made a motion to approve the case. Ms. Sterling Lewis seconded, stating that the request is consistent with the Comprehensive Plan. It is also reasonable and in the public interest given the stated objective to increase street connectivity to mitigate traffic. Mr. Lyle was opposed. The vote was not unanimous 9-1.

AGENDA ITEM # 3(A) 2: Z-30-14 – ACC Blvd. and Glenwood (Little Briar Creek) (Northwest CAC)**

The site is located on ACC Boulevard, south side, west of Alexander Town Boulevard.

This request is to rezone properties from TD CUD w/ PDD (Thoroughfare District Conditional Use District with Planned Development District) to RX-5-PL-CU (Residential Mixed Use-5 stories-Parking Limited-Conditional Use) [ACC Blvd. tract] and RX-5-CU (Residential Mixed Use-5 stories- Conditional Use) [Glenwood Ave. tract].

Planner Hill gave a brief overview of the case.

Mr. Birch gave a brief overview regarding permitted uses; site plan; determination process; parkway frontage; thoroughfare yard; no area limitation on disturbance and proposed setbacks and willingness to add condition of fee in lieu.

There was no Public Comment.

Mr. Buxton made a motion to defer the case to allow the applicant to consider conditions related to the parkway frontage. Mr. Fleming seconded. The vote was unanimous 10-0.

AGENDA ITEM # 3(B): 2030 Comprehensive Plan Five Year Update – Status Update

Trischa Hasch gave a brief summary regarding goals for the update; three phase scope of work and adoption phase.

AGENDA ITEM # 4: APPROVAL OF MINUTES: October 28, 2014 Planning Commission Minutes and November 4, 2014 Committee Of The Whole Meeting Minutes.

Mr. Terando made a motion to approve the October 28, 2014 Planning Commission Meeting Minutes. Mr. Buxton seconded the motion. The vote was unanimous 10-0. Mr. Terando made a motion to approve the November 4, 2014 Committee Of The Whole Meeting Minutes. Mr. Fluhrer seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 5: OTHER BUSINESS

AGENDA ITEM # 5(A): REPORT FROM THE CHAIR

Mr. Schuster asked staff to please encourage the CACs to adopt a meeting schedule that accommodates rezoning review. He stated that the Commission values the CAC input.

AGENDA ITEM # 5(B): REPORT FROM THE MEMBERS

Mr. Terando will be out for two weeks. Joint Commission to meet regarding Signage on November 14 at

8 am at One Exchange Plaza

AGENDA ITEM # 5(D): REPORT FROM THE PLANNING DIRECTOR

- Z-16-14 – Avent Ferry – December 2nd Public Hearing
- Z-14-14 – Forestville Rd. - Approved
- Z-18-14 – Sandy Forks - Approved
- Z-19-14 – Louisburg Road - Approved
- Z-24-14 – Globe Road - Approved
- Z-26-14 – Hillsborough Rd. – Approved

AGENDA ITEM # 7: ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:30 am.
Respectfully,
Ken Bowers, AICP
Interim Planning Director

Transcribed by: Chenetha Eason