PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on May 13, 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, Planning Manager Darges, Planner Walter, Planner Wingo, Planner Hodge, Planner Rametta, Planner Bradshaw, Planner Hill, Deputy Attorney Botvinick and Administrative Support Staff Eason.

AGENDA ITEM #1: INVOCATION

AGENDA ITEM # 2: OLD BUSINESS

AGENDA ITEM # 2(A): STRATEGIC PLANNING COMMITTEE REPORT

AGENDA ITEM # 2(A) 1: CP-4-14 –Text Amendments to the 2030 Comprehensive Plan

The proposed changes would amend the 2030 Comprehensive Plan.

Planner Walter presented the case.

Planning Manager Crane gave a brief overview.

Mr. Terando made a motion to defer for two weeks. The motion was seconded. The vote was unanimous 10-0.

AGENDA ITEM # 3: NEW BUSINESS

AGENDA ITEM # 3(B): REZONING

AGENDA ITEM # 3(B) 1: Z-5-14/Mitchell Mill Road, north side, east of its intersection with Forestville Road (Smith Creek) (Forestville CAC)**

The site is located on Mitchell Mill Road, north side, just east of its intersection with Forestville Road.

This request is to rezone property from R-4 to IX-3 CU.

Planner Brantley presented the case.

There was discussion regarding setbacks; street yard and frontage.

There was further discussion regarding how long current rezoning and current use has been in place; restricted uses and what other uses could be used if rezoned.

Planner Brantley responded that he was not certain but that it has been several years. He stated that CX and IX and housing component are allowed.

There was further discussion regarding whether case could be considered with the current conditions offered.

Mr. Bowers responded that decision has to be based upon unsigned conditions and cannot be finalized today.

Justin Eldridge representing the applicant gave a brief overview regarding use of property; conforming with other neighborhood businesses and uses; believes property will increase value and using land in retail fashion.

There was discussion regarding the status of the use on the property. The property owner purchased the property in 2013. The pre-existing use was non-conforming. The extent of the non-conformity has increased

with the current property owner. Deputy City Attorney Botvinick clarified the implication of non-conforming uses and the property.

Mr. Buxton made a motion for denial. Mr. Braun seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 3(A): PUBLIC HEARING

AGENDA ITEM # 3(A) 1: GH-6-13/Greenway Village at Lake Boone (Glenwood/Northwest CAC)

This site is located on the west side of Horton Street, south of its intersection with Lake Boone Trail, within the City Limits.

This request is to approve a group housing development consisting of 143 units in three buildings on a 23.98 acre tract, zoned Residential-6 with Special Highway Overlay-1. There are currently two multifamily apartment buildings on the subject property which are to be demolished. The proposed overall residential density is 5.96 units per acre. Planning Commission approval of this site plan is required per Code Section 10-2103(c)(4) for the overly long dead end street exceeding 800 feet in length (over 1,200 feet in length).

Mr. Fluhrer was recused for this request and the next.

Planner Wingo presented the case and noted that the case was submitted prior to September 1, 2013.

Tom Worth representing the applicant gave a brief overview regarding fire apparatus in regard to elongated cul-de-sac; donated greenway and increased density.

Gordon Grubb and Lofty Smith also representing the applicant spoke regarding infill redevelopment; current property purchased in the 50's; fees in connection with the site; elongated cul-de-sac for emergency vehicles and environmental issues and stormwater.

There was further discussion regarding buffer width, 50 ft. being on each side; how much bulk; adding or decreasing impervious.

David Brown responded regarding 8 site plans and non-conformity.

Mr. Worth stated that a Traffic Impact Analysis was performed on this property and traffic in the area will continue to be an issue.

There was further discussion regarding transit stop on Horton and Lake Boone; whether applicant would be willing to add transit shelter;

Applicant would be willing to add transit shelter.

There was further discussion regarding the City staff and City plan regarding redevelopment and possible loss of low income or affordable housing.

Mr. Bowers responded that the City has no control over placement of these redevelopment projects and the affordability.

Mr. Terando made a motion to approve with condition of a bus shelter. Mr. Schuster seconded. The vote was unanimous 9-0.

AGENDA ITEM # 3(A) 2: SP-46-13/2600 Glenwood Avenue (Glenwood CAC)

The site is located on the north/east side of Glenwood Avenue, across from its intersection with Oberlin Road.

Mr. Fluhrer was recused.

This request is to approve a 258,450 square foot multifamily building comprised of 188 dwelling units on a 4.71 acre site, zoned Office and Institution-2. The proposed residential density is 39.91 dwelling units per acre, thus requiring preliminary site plan approval by the Planning Commission.

Planner Hodge presented the case.

Mr. Hodge gave a brief overview regarding the Appearance Commissions comments; colors of materials; use of public art; land tie back and suggested plantings.

There was discussion regarding the transit shelter.

Tom Worth representing the applicant gave a brief overview of the case regarding the transit shelter being a very appropriate fit; pedestrian ingress/egress; stormwater; bike racks.

Gordon Grubb and David Brown gave a brief overview of the site and the proposed use; height; pedestrian access; proposal of moving sidewalk to west side of intersection and new signals for crossing; the 8 site standards and believes project is in keeping with area.

There was further discussion regarding no sidewalks at this time; bicycle racks; role of City regarding the pedestrian crossing on Glenwood

David Brown also representing the applicant responded they were committed to add 4 bicycle racks out front.

Daniel King with the Public Works Department responded that there was no mechanism in place to require pedestrian access until development has been done.

Tommy Craven responded regarding stormwater and making sure the site was in compliance.

There was further discussion regarding adding 2nd sidewalk on front side of Glenwood; 10 bicycle spaces in parking deck and 8 out front; accepting conditions to go back to Appearance Commission and condition to add additional evergreen plantings.

Crista Green responded regarding the Traffic Impact Analysis generating 84 new trips a 2.8% increase and signal time.

Donna Willcott representing the public had concern regarding losing low income rentals; the current state of the property; and the missing piece being the supply of affordable housing.

Scott also representing the public concern was regarding the driveway feeding into intersection not very safe for pedestrians; traffic heading out on Glenwood - very fast – free flowing traffic.

There was further discussion regarding suggesting traffic calming.

Mr. Botvinick responded that it was on a state road and therefore would have to be addressed with the NCDOT.

Planner Hodge responded regarding zoning on the property allowing for the density; traffic view; no additional measures; mixed moderate to medium residential and office uses; neighborhood mixed used and no small area plan.

Daniel King responded that there has not been any discussion with the State in regard to traffic calming in this area but talks could be initiated.

Mr. Schuster made a motion to approve with the addition of the bike racks and additional planting and appropriate material colors per Appearance Commission suggestion. Mr. Terando seconded. The vote was unanimous 9-0.

Ms. Sterling Lewis was excused.

<u>AGENDA ITEM # 3(A) 3: SP-60-13/Hibernia Entertainment Beer Garden (Hillsborough CAC)</u>

The site is located on east side of Glenwood Avenue between Peace Street and West Johnson Street.

This request is to change of use for a proposed 8,670 square-foot bar and restaurant on .24 acres zoned Industrial-2 with Pedestrian Business Overlay District. The existing building on site has been occupied with office uses. This plan was submitted after September 1, 2013, but it is in a legacy zoning district. This plan requires Planning Commission approval because it is within 400 feet of a residential zoning district.

Planner Rametta presented the case.

Ted Van Dyk representing the applicant gave a brief overview of the case regarding successful meeting with the Board of Adjustment.

There was discussion regarding the noise issues and being very close proximity to Hampton Inn.

There was no public comment.

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

AGENDA ITEM # 3(A) 4: SP-8-14/Rex Hospital Heart and Vascular Tower (Northwest CAC)

The site is located on the Northeast quadrant of Blue Ridge Road and Lake Boone Trail.

This request is the construction of a 9-story, 152' tall building addition, 306,400 square foot addition to an existing hospital campus. The property is zoned Office & Institutional-1, located within the City limits .This site is located within 400 feet of a residential use. The cumulative square footage of the hospital upon approval and construction of this proposal will be 1,900,183 square feet.

Planner Bradshaw presented the case.

Chad Lefteris representing the applicant gave a brief overview of Rex Hospital growth and expansion projects and vision.

Mark Vaughn also representing the applicant gave a brief overview regarding existing parking garage; existing campus and the proposed project; material to be used and goal of hospital regarding the project.

There was discussion regarding pedestrian access points and location on Blue Ridge.

Mr. Buxton made a motion to approve with the addition of the bike rack. Mr. Swink seconded. The vote was unanimous 9-0.

Sal Massaro also representing the applicant responded regarding the pedestrian access; sidewalks and approval regarding driveway and bus shelter.

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

AGENDA ITEM # 3(B) 2: Z-11-14 – Tryon Road, north side, at its intersection with Trailwood Hills Drive (Walnut) (Southwest CAC)**

The site is located on Tryon Road, north side, at its intersection with Trailwood Hills Drive.

This request is to rezone property from O&I-1 CUD w/ SRPOD to OX-4-PL-CU w/SRPOD.

Planner Hill presented the case.

Mr. Swink was excused at 11:45 am.

Isabel Mattox representing the applicant gave a brief overview regarding compatibility with surrounding area; consistent with Comprehensive Plan and increasing open space by 15%; playground on the site and CAC vote.

There was discussion of whether there would be further talks between Planning and Parks regarding fees in lieu; facility fees and increase in density.

Mr. Braun made a motion to recommend approval. Mr. Whitsett seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 3(B) 3: Z-12-14 – Rush Street, south side, between Hammond and Garner Roads (Wildcat) (Central CAC)**

The site is located on Rush Street, southside, between Hammond and Garner Roads.

This request is to rezone property from CUD O&I-1 to CX-3-PL.

Planner Walter presented the case.

There was discussion regarding length of time this property has acted as a bail bond operation. The property was originally rezoned and one of the zoning conditions was a prohibition on Bail Bonds operations. The existing use is non- conforming. Additional discussion occurred regarding the legality of the non-conforming use; also whether the owner and operator of the business is one and the same;

Mr. Botvinick responded there were two issues regarding violations going on for such a long period of time and whether the operator/owner knew of violation.

There was further discussion that this was a Legacy District; retention of all lawful conditions and stripping unlawful conditions and whether 10 year violation just goes away.

David Beasley representing the applicant responded regarding being owner and operator of this business; purchase of property; situations that led to moving business operations to this locations; use of property and the previous rezoning to make it legal; doing the bail bonds business from this location only the last 3 years.

Mr. Beasley states that he didn't realize the conditions he had previously placed on the property all those years ago. He is trying to get the rezoning aligned with the business he is now running.

Mr. Buxton made a motion to extend meeting past noon. Mr. Braun seconded. The vote was unanimous

8-0.

Mr. Braun made a motion to recommend case to Committee Of The Whole. Mr. Terando seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 4: APPROVAL OF MINUTES: April 22, 2014 Planning Commission Meeting Minutes and May 6, 2014 Committee Of The Whole Meeting Minutes.

Mr. Terando made a motion to approve the minutes. Mr. Whitsett seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 5: OTHER BUSINESS

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

- Z-2-12/ Hillsborough – CPC
- Bufflaoe/New Hope Workshop – authorized
- Window Signage Task Force – Held for two weeks
- Z-33-13 – Western Blvd. – Held at Public Hearing for 30 days
- Z-3-14 – Holden Road. – Held at Public Hearing for 30 days – present to CAC

- Z-4-14 – Hillsborough Street – Held at Public Hearing for 30 days
- Z-9-14 – Friendly Drive – Held at Public Hearing for 30 days
- Petition of Citizens (UDO/CP issues) - CPC

AGENDA ITEM # 5(E): Committee Agenda Items

Upcoming committee meetings were briefly announced.

AGENDA ITEM # 6: ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 12:10 pm.

Respectfully,
Ken Bowers, AICP
Deputy Planning Director
Transcribed by: Chenetha Eason