PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on March 11, 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: Deputy Planning Director Bowers, Planning Manager Darges, Planning Manager Crane, Planner Walters and Administrative Support Staff Eason.

AGENDA ITEM #1: INVOCATION

AGENDA ITEM # 3: APPROVAL OF MINUTES: February 25, 2014 Planning Commission Minutes.

Mr. Buxton made a motion to approve the February 25, 2014 Planning Commission Meeting Minutes. Mr. Braun seconded the motion. The vote was unanimous 9-0.

AGENDA ITEM # 4: OTHER BUSINESS

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

Mr. Terando gave a brief overview of the previous Transportation Meeting. He noted that our newest member Mr. Whitsett would be a part of that Committee.

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

- There were no items for City Council – no actions taken.
- Mr. Fluhrer was re-appointed to the Planning Commission

AGENDA ITEM # 4(E): Committee Agenda Items

Vice-Chair Schuster briefly announced the upcoming committee meetings.

AGENDA ITEM # 2: NEW BUSINESS

AGENDA ITEM # 2(A): PUBLIC HEARING

AGENDA ITEM # 2(A) 1: SP-53-13/State Auto Care and Used Tires (Central CAC)

The site is located on the west side of the intersection of South Blount, and Branch Street.

This request is to approve the construction of a proposed 528 square foot sales office and 320 square foot tire storage structure with associated parking, and service bays for auto care and the sales and service of used automobile tires. This commercial/retail use is proposed on a 1.28 acre site zoned Industrial-2 (IND-2). All sales and service is proposed to be done on site. This site is located within 400 feet of a residential use or zone. This plan was submitted after September 1, 2013 but is in a legacy zoning district. (10-2132.2 (b) 2 b, Raleigh City Code)

Planner Walters presented the case regarding the Appearance Commission February 6 meeting and suggestions to the applicant.

Bo Harris representing the applicants stated he would be glad to answer any question regarding the Appearance Commission suggestion and the applicant's intent to adhere to suggestions.

There was further discussion regarding the Appearance Commission's suggestions; how the applicant will address.

Bryant Williams and Leon Hayes also representing the applicant responded regarding their intention to address the Appearance Commission's suggestion in a timely fashion, stating the site will look like a new place.

Ms. Kathy Daley with the NC Railroad Company representing the public responded that they had two suggestions regarding the site, Norfolk Southern was identified on the plans but the name should be NC Railroad Company and the use of the railroad corridor regarding a license agreement being in place.

Deputy Attorney Botvinick responded regarding the license agreement; whether the railroad owned the land or if it was on an easement.

Ms. Daley stated a Charter was established in 1849

Mr. Botvinick stated that if the old railroad company owned site as easement the land is part of the acreage of the applicant.

Mr. Braun responded that he was reluctant to place a condition that would create an un-level negotiation between the applicant and the railroad company.

Mr. Whitsett stated in full disclosure that his law firm has a long standing relationship with the NC Railroad.

Mr. Braun made a motion to approve the case. Mr. Buxton seconded. The vote was unanimous 10-0.

AGENDA ITEM # 5: ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:08 am.

Respectfully,
Ken Bowers, AICP
Deputy Planning Director

Transcribed by: Chenetha Eason