PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on July 08, 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 Darges, Planning Manager Crane, Planner Bradshaw, Planner Brantley, Planner Hill, Deputy Attorney Botvinick, and Administrative Support Staff Eason.

AGENDA ITEM #1: INVOCATION

AGENDA ITEM # 2: NEW BUSINESS

AGENDA ITEM # 2(A): ELECTION OF OFFICERS

Mr. Buxton made a motion nominating Mr. Schuster as Chair of Planning Commission for the fiscal year. Mr. Fleming seconded the motion. The vote was unanimous 10-0. Mr. Swink made a motion nominating Ms. Sterling- Lewis as the Vice Chair of the Planning Commission. Mr. Buxton seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 2(B): PUBLIC HEARING

AGENDA ITEM # 2(B) 1: SP-56-13 /Walgreens's Perry Creek (Forestville CAC)

The site is located at the northeast quadrant of Louisburg Road and Ramble Way.

This request is to approve a 14,820 square foot retail establishment with a drive-thru on a 2.39 acre site (consisting of lot 1 of S-70-05 BM 2007 PG451, and DB 15267 PG 2109) zoned Shopping Center CUD with Special Highway Overlay District-4. This site is located within 400 feet of a residential use.

Planner Bradshaw presented the case.

There was discussion regarding replacing Red Maples along service area, retention pond and nitrogen on property; whether stormwater is on site and nearest transit easement and planting to the south of the property.

Brent Parham representing the applicant gave a brief overview of case regarding shrubbery placement and area near dumpster screened in litte more.

There was no Public Comment.

Mr. Botvinick stated that this was in the Legacy District.

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

AGENDA ITEM # 2(C): REQUEST TO BEING MASTER PLAN TERMINATION PROCEEDINGS/REQUEST FOR WAIVER OF TWO-YEAR WAITING PERIOD

AGENDA ITEM # 2(C) 1: MP-1-13 /Stone's Warehouse

This site is located on 500 Block of E. Davie Street, south side, and extending south along S. East Street and Chavis Way.

The request is for a waiver of the 2-year waiting period for amending zoning case Z-16-13/ MP-1-13, approved April 2, 2013. Granting this request will allow a rezoning request to be filed for the property.

Chair Schuster was recused

Planner Hill presented the case.

There was discussion regarding the PDD; previous Master Plan approval; the findings and reasons and the 2 year waiting period.

Mr. Bowers made clarifying remarks regarding the process of the this request and that two actions are being requested: a waiver of the two-year waiting period and the termination of an approved master plan.

Planner Hill responded that the 2 year waiting period is a part of the process and in order move forward with any future rezoning there was a need to requestthe teminiation of the master plan.

Mr. Botvinick stated that this process does require to two separate actions therefore each has to be acting upon separately.

Mr. Braun asked if property owner had to sign for the request or is staff sending the letter enough and is there a need for an application.

Mr. Botvinick stated that initially or eventually there will be an application for rezoning. During this process this just opens for the opportunity of rezoning to be considered.

There was no Public Comment.

Mr. Buxton was recused.

Mr. Lyle made a motion to approve a Waiver of the Two-Year Waiting Period. Mr. Braun seconded the motion. The vote was unanimous 8-0. This action is a certified action of the Planning Commission.

Mr. Braun made a motion to recommend approval of Request to Begin Master Plan Termination Proceedings. Mr. Lyle seconded the motion. The vote was unanimous 8-0.

AGENDA ITEM # 2(D): REZONING

AGENDA ITEM # 2(D) 1: Z-15-14 308 South Blount Street (Central CAC)(Walnut)**

This site is located in Downtown Raleigh, east side of South Blount Street, in the southwest quadrant of the intersection of East Martin and South Blount Streets.

This request is to rezone property from BUS w/DOD to DX-40.

Planner Brantley gave a brief overview of the case.

There was discussion regarding the proposed zoning allows for more intense use, as opposed to the existing zoning; the request does not contain any zoning conditions,; that the request is consistent with Future Land Use Map; that this is a highly pedestrian and transit use area; and that the request is inconsistent with Comprehensive Plan and does not offer frontage.

Mr. Braun asked for an explaination of shopfront frontage.

Mr. Bowers responded that this site is mixed use building mandatory; increases the level of transparency and what type of window treatment can be used and modifies how ground floor will be built out.

There was further discussion regarding details of project not being known at this time; whether the applicant is fully vested in project and the effect denial of this case will have on construction moving forward.

Mr. Bowers responded that construction will continue and what we are doing will remedy any future retail issues.

Vice-Chair Sterling- Lewis requested clarification of what shopfront frontage is.

Mr. Bowers responded that shopfront frontage show what building type is allowed; initial setback; pedestrian access required and streetscape requirements.

Lacy Reaves representing the applicant gave a brief overview of the case regarding the case actually began in 2012; code interpretation; meeting code; request the commission allow applicant and staff to step back

and work out issues and ask approval with shopfront frontage coming later or defer the case to allow more time for discussion.

Mr. Bowers stated that staff wants shop front because that would make it consistent with the Downtown Legacy District.

There was discussion regarding deferring the case for further discussion or approve today with shop front and whether applicant plans to have ground floor retail and whether there is enough time for applicant to deal with the issues before the remapping.

Staff has identified no conflicts.

Mr Reaves responded that it will have ground floor retail.

There was further discussion regarding Public Hearing delays; why the hurry with no business reason for approval of case today.

Chair Schuster summarized the discussion regarding this being a quality project; first time implications of UDO brought before commission; good opportunity to allow applicant and staff to work on issues and concerns; deferral may be in order rather than having a lot of gray areas.

Mr. Reaves responded that there are no objections to a deferral.

Mr. Bowers stated that staff has no issue with the building just wants to move forward a clean case.

There was no Public Comment.

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

AGENDA ITEM # 3: APPROVAL OF MINUTES: June 24, 2014 Planning Commission Minutes.

Mr. Whitsett made a motion to approve the June 24, 2014 Planning Commission Meeting Minutes. Mr. Buxton seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 4(A): REPORT FROM THE CHAIR

Mr. Schuster thanked everyone for the vote of confidence. He thanked Mr. Fleming for a job well done and for staying on the Commission to lend his very valuable knowledge.

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

- TC-1-14 – Referred to Signage Task Force
- CP-4-14 – Comprehensive Plan Committee
- Z-8-14 – Public Hearing - August 5, 2014
- TC-3-14 – referred to Planning Commission
- Z-11-14 – Deferred 2 weeks
- Z-12-14 - Deferred 2 weeks
- TC-2-14 - Deferred 2 weeks

AGENDA ITEM # 5: ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:18 am.
Respectfully,
Ken Bowers, AICP
Interim Planning Director

Transcribed by: Chenetha Eason