## PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on December 13, 2016 at 9:00 A.M., in Room 201 of the Municipal Building.

Planning Commission Members Present: Chair Braun, Mr. Fluhrer, Ms. Jeffreys, Mr. Lyle, Mr. Schuster, Mr. Swink and Mr. Tomasulo

Excused: Ms. Alcine, Ms. Hicks and Mr. Terando

Staff Members Present: Assistant Planning Director Crane, Planning Manager Mitchell, Planner Hardin, Planner Huemer, Planner Rametta and Administrative Support Staff Eason.

**AGENDA ITEM #1: INVOCATION** 

**AGENDA ITEM # 2: PUBLIC COMMENT** 

None

**AGENDA ITEM #3: NEW BUSINESS** 

**AGENDA ITEM #3 (A) PUBLIC HEARING** 

AGENDA ITEM # 3 (A)1: SP-12-16 / Ridgewood Shopping Center.

This site is located on the north side of Wade Avenue, between Faircloth Street and Ridge Road.

This request is to approve a 21,159 square foot mixed use building with 14 structured parking spaces on a 9.86 acre site, split zoned Shopping Center (SC) and Shopping Center Conditional Use District (SC CUD). This site is located within 400 feet of a residential use or zone.

Planner Rametta presented the case.

Ted Van Dyk representing the applicant gave a brief overview of the case and stated that the applicant is requesting a continuance until the next Planning Commission Meeting on January 10, 2017.

Mr. Lyle made a motion to defer. Ms. Jeffreys seconded the motion. The vote was unanimous 7-0.

#### **AGENDA ITEM #3 (B) REZONING CASE**

#### AGENDA ITEM # 3 (B) 1: Z-22-16 - Six Forks Road.

This site is located on Six Forks Road, east side, north of Farrington Drive.

The request would Rezone property from Residential-4 (R-4) to Commercial Mixed Use-3 stories-Conditional Use-Parking Limited (CX-3-CU-PL).

Planner Hardin presented the case.

Michael Birch representing the applicant gave a brief overview of the case regarding parking limited frontage; transit easement; believing self storage use will be a good use of the land and requesting deferral to go to Committee Of The Whole.

There was discussion regarding adjacent uses in the area; pedestrian connection and smallness of the site.

Mason Ellerbee spoke regarding requesting deferral that there be further time to review.

Colleen Doback spoke in support of deferral as well.

Mr. Lyle made a motion to defer the case. Mr. Fluhrer seconded the motion. The vote was unanimous 7-0.

## AGENDA ITEM #3 (B) 2: Z-34-16 - Glenwood Avenue.

This site is located on Glenwood Avenue, west side, south of Edenburgh Road.

The request would rezone property from Residential-6 (R-6) to Office Mixed Use-3 Stories-Parking Limited-Conditional Use (OX-3-PL-CU).

Planner Hardin presented the case.

There was discussion regarding density. Ms. Jeffreys questioned whether it could be conditioned down to fewer units and become more consistent, stating concern regarding the number of units and density.

Mack Paul representing the applicant gave a brief overview of the case regarding buffers; limiting to 2 stories; eliminating parking between buildings; neighbors suggestions of masonry wall along the side of propertu and a little more transit friendly orientation along Glenwood Avenue.

Daniel Gunter of 4114 Lake Boone Trail spoke in favor of the proposal.

# Mr. Fluhrer made a motion to approve the case. Mr. Tomasulo seconded the motion. The vote was not unanimous 6-1. Ms. Jeffreys was opposed

# AGENDA ITEM #3 (B) 3: Z-35-16 - Sumner Boulevard

The site is located on Sumner Boulevard, North side at the intersection with Triangle Town Blvd.

The request is to rezone property from Commercial Mixed Use -3 Stories- Urban Limited (CX-3-UL) to Commercial Mixed Use -5 Stories- Conditional, (CX-5-CU).

Planner Huemer presented the case.

There was discussion regarding frontage removal and tree conservation.

Ms. Huemer responded regarding tree conservation easement already recorded; TCA doesn't allow for anthing except cleaning of dead trees; existing sidewalks; slope and addressing the street. Parkway frontage requires pedestrian sidewalk every 300 ft.

Rick Baker representing the applicant gave a brief overview of the case.

No Public comment.

Mr. Swink made a motion to approve the case and move forward asking the City Council to hold at the table until CAC meeting. Mr. Lyle seconded the motion. The vote was unanimous 7-0.

## AGENDA ITEM # 3 (B) 4: Z-36-16 - North Tarboro Street. (Wade CAC)

The site is located on North Tarboro Street, northeast corner of intersection with East Lane Street.

The request is to rezone property from Residential Mixed Use-Three Stories (RX-3) to Office Mixed Use-Three Stories-Conditional Use (OX-3-CU).

Planner Hardin presented the case.

The applicant was not present.

No Public comment.

Mr. Swink made a motion to defer the case. Mr. Fluhrer seconded the motion. The vote was unanimous 7-0.

#### **AGENDA ITEM # 4: OLD BUSINESS**

## AGENDA ITEM # 4 (A) REZONING CASE

# AGENDA ITEM # 4 (A) 2: Z-32-16 - Hillsborough Street.

This site is located on Hillsborough Street, north side, at its intersection with Bagwell Street.

The request would rezone property from NX-4-SH and R-6, both w/SRPOD to NX-5-SH-CU and RX-3-CU, both with SRPOD.

Planner Hardin presented the case.

Mr. Schuster made a motion to defer the case. Mr. Lyle seconded the motion. The vote was unanimous 7-0.

## **AGENDA ITEM # 5: COMMITTEE REPORTS**

# AGENDA ITEM # 5(A): RULES AND PROCEDURE COMMITTEE

PC Chair Braun gave a brief overview of the discussion for the updating rules and procedure. The Planning Commission requested that staff work to update the Rules and Procedures, with the assistance of a special Rules and Procedures subcommittee. The intent of this update was to align the Rules and Procedures with current practice, city code and State law. The subcommittee met twice to discuss updates to the Rules and Procedure. A draft copy of the updated document has been provided for further review to be discussed at a later date.

Mr. Lyle recommended moving forward to the City Council for approval. Ms. Jeffreys seconded the motion. The vote was unanimous 7-0.

## AGENDA ITEM # 5(B); COMMITTEE OF THE WHOLE

## AGENDA ITEM # 4 (A) 1: Z-24-16 - Litchford Road.

The site is located on Northwest quadrant of intersection of Litchford and Dixie Forest roads.

The request is to rezone property from Neighborhood Mixed Use- 3 stories-Conditional Use (NX-3-CU) to Commercial Mixed Use- 3 stories-Conditional Use (CX-3-CU).

Committee Of The Whole Chair Swink gave a brief overview of the case.

Planner Hardin also spoke regarding existing versus proposed conditions; consistency with urban form map and inconsistency with comp plan.

Isabel Mattox representing the applicant gave a brief overview regarding the added conditions and stated that they had requested NCDOT consider a crosswalk in the area.

Mr. Swink made a motion to approve the case. Mr. Fluhrer seconded the motion. The vote was unanimous 7-0

#### AGENDA ITEM # 5(B)1: TC-17-16/Attics and Basements

The request amends the Part 10 Raleigh Unified Development Ordinance to clarify the regulations related to attics and basements. As currently written, the UDO permits a basement or an attic, or both to add to the building massing without counting as a story. The Development Services Department has received several site plan submittals for what can only be considered a four or five story building within a three story zoning district.

Assistant Planning Director Crane gave a brief overview of the case.

Stephanie Mendell spoke in favor of the case and in favor of having it move forward quickly, concerned regarding loophole that allows developers creatively to add more height or stories.

Greg Sandler spoke regarding lower sloping sides – downsizing.

Jim Anthony spoke regarding the use of topography, in favor of having more time to further vet.

Carol Majors spoke regarding comp plan guidelines being very important; policy concerns and not sure what the problem is and why this text change is needed.

Brian O'haver chair of City Of Raleigh Appearance Commission support futher review of the text change.

Ted Van Dyk spoke regarding transitions; buffers; setbacks; stories and height.

Mr. Mayorano spoke regarding density concerns; topography; mezzanine and why its being addressed in this text change.

David York spoke regarding steep slopes; suggests language that would cap at 1 story.

Ms. Jeffreys stated that timeline not slowing down by hold this case

Mr. Swink made a motion to hold at the table. Mr. Lyle seconded the motion. The vote was unanimous 7-0.

AGENDA ITEM # 6: APPROVAL OF MINUTES - Approval of November 22, 2016 Planning Commission Meeting Minutes and December 6, 2016 Committee Of The Whole Meeting Minutes.

Mr. Lyle made a motion to approve the Planning Commission Minutes. Mr. Fluhrer seconded the motion. The vote was unanimous 7-0.

Mr. Swink made a motion to approve the Committee Of The Whole Meeting Minutes with the corrections and following statement regarding from Ms. Jeffreys "Ms Jeffreys said the intended use seems in the public interest since it should generate low traffic volumes, there are issues with the intersection, and there is no NCDOT or city plan for improving the intersection." Mr. Lyle seconded the motion with the amendments. The vote was unanimous 7-0

## AGENDA ITEM # 6(D): REPORT FROM THE PLANNING DIRECTOR

Mr. Bowers gave brief update of recent City Council actions.

- Z-27-16 Alexander Dr P.H. 1/3/17
- Z-31-16 Cumberland Street P.H. 1/3/17
- Z-30-16 Varsity Street Time Extension granted
- Z-21-16 Lumley Road Approved
- Z-25-16 Leesville Road Approved
- Z-26-16 Northridge South NCOD Approved
- Z-15-16 Falls Of Neuse Rd. P.H. closed
- Z-17-16 Creedmoor Road denied per applicant request
- Z-18-16 Homewood Banks held open
- TC-18-16 Animal Care
- TX-21-16 MH uses

## **AGENDA ITEM # 7: ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 11:25 a.m.

Respectfully,

Travis Crane

**Assistant Planning Director** 

Transcribed by: Chenetha Eason