



Tuesday, January 29, 2019
REGULAR MEETING - Second and fourth Tuesday of each month

Raleigh Municipal Building
9 a.m.
City Council Chambers - Room 201
222 West Hargett Street
Raleigh, North Carolina

Eric Braun
Rodney Swink - Chair
Bob Geary
Tika Hicks - Vice Chair
Edie Jeffreys - Secretary
Joe Lyle
David Novak
Sara Queen
Matt Tomasulo

NOTICE TO HEARING IMPAIRED

Audio enhancements have been installed in the Council Chamber. Assistive listening devices are available upon request. Interpreters for deaf and hearing impaired persons are available. If needed, please provide a 24-hour notice by calling [919-996-3100](tel:919-996-3100) (voice) or [919-996-3107](tel:919-996-3107) (TDD).

A. INVOCATION

B. PUBLIC COMMENT

C. COMMITTEE REPORT

Subject	1. Committee of the Whole - January 24, 2019 meeting report
Meeting	Jan 29, 2019 - REGULAR MEETING - Second and fourth Tuesday of each month
Category	C. COMMITTEE REPORT

Type

Tika Hicks, Chair
 Bynum Walter, City Planning

The Committee met on January 24, 2019. These items were discussed:

Z-21-18 3027 Rock Quarry Road - The Committee of the Whole unanimously recommended this item for approval.

Z-30-18 3219 Poole Road - The Committee of the Whole unanimously recommended that a request for extension of the review period be forwarded to the City Council. The Committee did not specify the length of the extension of time; staff recommends 45 days.

File Attachments

[20190124PLANRecommendationZ3018.pdf \(1,063 KB\)](#)

[20190129PLANCommitteeReportZ2118.pdf \(3,202 KB\)](#)

D. OLD BUSINESS

Subject **1. Rezoning Z-11-18: 3509, 3511, and 3513 Garner Road, located approximately 0.3 miles from the intersection of Garner Road and Tryon Road**

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Category D. OLD BUSINESS

Type

Donald R. Belk, AICP, City Planning

Z-11-18 3509, 3511, and 3513 Garner Road, being Wake County PINs. 1712216519, 1712319496, and 1712317179. Approximately 43.83 acres are requested by the Jesse Lee Brown Heirs, the Eddie Stark Heirs, and Prestige Construction LDDVLP LLC to be rezoned from Residential-4 (R-4) to Residential-10-Conditional Use (R-10-CU).

Proposed conditions would limit density to 8 units per acre, prohibit apartment building type, and preserve a minimum of 10% open space, which can include preservation of existing natural features, stream buffers, watercourse buffers, wetlands, or vegetation.

This case first appeared in front of the Planning Commission during the November 27, 2018 meeting. At the applicant's request, it was deferred to this meeting to allow time to resolve complications with the sale of the property.

The case was presented to the South CAC on January 14, 2019, and a vote is scheduled for February 11, 2019.

The case is inconsistent with the Future Land Use Map, but consistent with the 2030 Comprehensive Plan overall.

The deadline for Planning Commission action is February 25, 2019.

File Attachments

[20190129PLANOldBusinessZ-11-18.pdf \(10,883 KB\)](#)

Subject **2. Z-34-18; 308 S. Boylan Avenue (Central CAC)**

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Category D. OLD BUSINESS

Type

Rezoning Z-34-18: 308 S Boylan Avenue at the southeast corner of Montford Street and S Boylan Avenue. (Central CAC)

Sara Ellis, City Planning

Z-34-18: 308 S Boylan Avenue at the southeast corner of Montford Street and S Boylan Avenue being wake County PIN 1703375717. Approximately 0.99 acres are requested by Michael Birch of Long Leaf Law Partners to be rezoned from Residential-10 with a General Historic Overlay District (R-10 w/HOD-G) to Commercial Mixed-Use with a three story height limit, conditions and a General Historic Overlay District (CX-3-CU w/ HOD-G). Conditions effectively limit the uses to permit the following: indoor recreation; outdoor recreation; overnight lodging; bar; eating establishment; personal service, urban farm and all uses otherwise permitted in R-10 zoning districts. Additional conditions limit overnight lodging to no more than 10 rooms; limit maximum square footage of the bar and restaurant; limit the location of off-street parking to the rear of the property; restrict hours of operation for the bar and restaurant uses; provide additional buffering between residential uses and the primary structure; and limit the bar and restaurant uses to the existing building footprint with the exception of a staircase addition.

On January 7, 2019 the Central CAC voted to approve the case 15 (Y) - 1 (N), topics discussed at the meeting included parking on neighborhood streets generated by the proposed use.

The case first appeared before the Planning Commission on January 15, 2019 to satisfy UDO timing requirements as it was inconsistent with the Future Land Use Map and the 2030 Comprehensive Plan. The case was deferred to the January 29, 2019 Planning Commission meeting as the applicant sought to submit new conditions to bring the case into consistency.

New conditions dated January 18, 2019 amend the rezoning request to address a number of 2030 Comprehensive Plan policies previously determined to be inconsistent. The staff report has been updated to reflect the revised conditions; staff analysis has determined that the revised request, while still inconsistent with the Future Land Use Map, is consistent with the 2030 Comprehensive Plan overall.

The deadline for Planning Commission action is April 15, 2019.

File Attachments
[20182901PlanOldBusinessZ-34-18.pdf \(2,895 KB\)](#)

E. NEW BUSINESS

Subject **1. Rezoning Z-36-18: W. Martin St, at the southeast corner of its intersection with Commerce Pl**

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Category E. NEW BUSINESS

Type

John Anagnost, City Planning

Z-36-18 W. Martin Street, at the southeast corner of its intersection with Commerce Pl, being Wake County PIN 1703575747. Approximately 0.99 acres are requested by 4DH Partnership to be rezoned.

Current zoning: Downtown Mixed Use-5 Stories-Shopfront (DX-5-SH)

Requested zoning: Downtown Mixed Use-12 Stories-Shopfront-Conditional Use (DX-12-SH-CU)

The zoning conditions dated January 18, 2019 require existing historic structures to remain except in the event of disaster, require buildings replacing historic structures to be similar in mass and materials, limit height to five stories in the area of the existing structures, require approval from the RHDC COA committee for new construction above historic structures, require exterior materials for new construction visible from the right of way to match the surrounding historic character, and prohibit certain uses.

The request is consistent with the Future Land Use Map.

The request is consistent with the Comprehensive Plan.

The Central CAC has not voted on the request. The CAC vote is scheduled for February 4.

File Attachments
[20190129PLANNewBusinessZ-36-18.pdf \(3,753 KB\)](#)

Subject **2. 24 Month Waiver Request - Z-10-17 Freedom Drive**

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Category E. NEW BUSINESS

Type

John Anagnost, City Planning

This is a request for a waiver of the 24-month waiting period for requesting a rezoning after a public hearing has been conducted for a previous rezoning request on the same site.

Z-10-17 Freedom Drive, on its west side, approximately 500' south of New Bern Avenue, being Wake County PINs 1734049216, 1734049541, 1734049744, 1734059036, 1734143205, 1734143511, & 1734143715.

Approximately 17.2 acres are requested by Amelia P McColl, Amy Partin McColl, David William McColl, and Betty Howell Partin to be rezoned from Residential-6 (R-6) to Industrial Mixed Use-Three Stories-Conditional Use (IX-3-CU). The

previous request was for Heavy Industrial-Conditional Use (IH-CU) and included additional parcels. Conditions included with the new request would require buffering and transitions, according to the applicant.

This request was heard at a public hearing on September 5, 2017. The request was ultimately denied by City Council on October 17, 2017.

UDO Section 10.2.4.I.1 states that the Planning Department is not authorized to accept an application or a rezoning request whenever an application for rezoning on the same property would be heard more than once at a public hearing within a 24-month period.

For the applicants to reapply for a new case, a waiver to the 24-month waiting period is required.

File Attachments
[20190129PLANNewBusiness24MonthWaiverZ-10-17.pdf \(2,348 KB\)](#)

Subject **3. TC-6-18 Cottage Court**

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Category E. NEW BUSINESS

Type

Jason Hardin, City Planning

This text change would increase allowed density for the Cottage Court housing pattern and reduce the required parking setback.

File Attachments
[20190129PLANTC-6-18CottageCourt.pdf \(294 KB\)](#)

Subject **4. TC-7-18 - Rezoning Process, Waivers and Appeals**

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Category E. NEW BUSINESS

Type

Mark R. Holland - City Planning

This is a request to amend language in Part 10 of the Raleigh Unified Development Ordinance to modify regulations related to the rezoning process, waivers and appeals.

File Attachments
[TC-7-18 Chapter 10 - CR and Staff Report.pdf \(144 KB\)](#)

F. APPROVAL OF MINUTES

Subject **1. Draft January 15, 2019 Planning Commission Meeting Minutes**

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Category F. APPROVAL OF MINUTES

Type

Staff Resource - Chenetha Eason

File Attachments
[Draft20190115PlanPCMinutes.pdf \(146 KB\)](#)

G. OTHER BUSINESS

Subject **1. Report from the Chair**

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Category G. OTHER BUSINESS

Type

Subject **2. Report from the Members**

Meeting Jan 29, 2019 - REGULAR MEETING - Second and fourth Tuesday of each month

Category G. OTHER BUSINESS

Type

Subject **3. Report from the Planning Director**

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Category G. OTHER BUSINESS

Type

File Attachments
[20190129PLANReportFromTheDirector.pdf \(60 KB\)](#)

Subject **4. Pending Items**

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Category G. OTHER BUSINESS

Type

File Attachments
[20190129PLANNextMeeting20190212.pdf \(131 KB\)](#)

H. ADJOURNMENT
