



Tuesday, August 14, 2018
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
Veronica Alcine
Bob Geary
Tika Hicks - Vice Chair
Edie Jeffreys - Secretary
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 (voice) or 919-996-3107 (TDD).

A. INVOCATION

B. PUBLIC COMMENT

C. COMMITTEE REPORT

Subject **1. Comprehensive Plan Amendment CP-1-18 Falls North (Falls of Neuse) Area Plan and project report**

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category C. COMMITTEE REPORT

Type

Jason Hardin, City Planning

An area plan and report have been completed for Falls North. The study, an update of the existing Falls of Neuse Area Plan, was conducted by a consultant team led by Rhodeside and Harwell and directed by the Department of City Planning. The study identified, evaluated, and prepared recommendations for land use, urban design, parks, and transportation policies and projects.

If adopted, the associated Comprehensive Plan amendments would be the first action of plan implementation by incorporating key policy guidance into the 2030 Comprehensive Plan.

During its March 6, 2018 meeting, City Council referred the plan and associated amendments to the Planning Commission for review. On March 27, 2018, the Commission referred the item to the Committee of the Whole for further discussion. The Committee received comment and discussed the item at its meetings of April 26, May 24, and June 28.

The Committee referred the plan back to the Planning Commission on June 28. The Committee recommended revisions to plan policies that address land use at the Falls of Neuse Road/Raven Ridge intersection and tree conservation within the plan area. The policies and proposed revisions are included in the accompanying memorandum.

The deadline for the Planning Commission recommendation to City Council is August 24.

The project report and additional information can be found on the project webpage:
<https://www.raleighnc.gov/business/content/PlanDev/Articles/LongRange/FallsofNeuse.html>

File Attachments

[20180814CommitteeoftheWholeReportCP1118.pdf \(5,038 KB\)](#)

Subject 2. Rezoning Z-4-18: Forestville Road and Taylor Oaks Drive (Forestville CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category C. COMMITTEE REPORT

Type

John Anagnost, City Planning

Z-4-18 Forestville Road and Taylor Oaks Drive, on Forestville Road at the southeast corner of its intersection with Taylor Oaks Drive, being Wake County PINs 1747553879, 1747555734, and 1747564006. Approx. 4.05 acres are requested by James and Beverly Watkins and Wake Crossroads Commons LLC to be rezoned from Residential-4 (R-4) to Residential-10-Conditional Use (R-10-CU). Conditions limit density to eight dwelling units per acre and limit development to the Townhouse building type.

The case is inconsistent with the Future Land Use Map and the Comprehensive Plan. The Forestville CAC has discussed the case twice, but not yet taken a vote. At their July 3 meeting, the City Council granted a 90-day extension for Planning Commission to make a recommendation. The new Planning Commission deadline is November 4.

This case was brought forward on the May 8 Planning Commission meeting agenda to satisfy timing-requirements of UDO Section 10.2.4.F.2.A. During that meeting, staff reported that the contact person for this case had decided not to pursue the request further. One of the two property owners expressed an interest in withdrawing the request at that time. Planning Commission deferred the case to allow the property owners to consider withdrawing the case. Since then, the first property owner now wishes to move forward with the petition. The second property owner has communicated to staff that they wish for their property to remain in the case so long as it is active. The case came back to the Planning Commission on May 22 and was referred to the Committee of the Whole at that meeting. The case was discussed at the June 28 meeting of the Committee of the Whole. The Committee of the Whole referred the case to the Planning Commission with a recommendation to deny the request (Y-8, N-0).

File Attachments

[20180814PLANCommitteeReportZ-4-18.pdf \(2,219 KB\)](#)

Subject 3. Rezoning Z-9-18 Stovall Dr, Kelford St, Marcom Street (West CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category C. COMMITTEE REPORT

Type

Sara Ellis, City Planning

Z-9-18 Stovall Drive, Marcom Street & Kelford Street, located at the northeast corner of Stovall Drive and Kelford Street with Marcom Street to the north and Gorman Street. The request is to rezone approximately 1.81 acres to be rezoned from Residential Mixed Use-3 Stories with Special Residential Parking Overlay District (RX-3-CU-SRPOD) & Residential-10 with Special Residential Overlay Parking District (R-10-SRPOD) to Residential Mixed Use-3 Stories with Conditions, Urban Limited Frontage and Special Residential Parking Overlay District (RX-3-CU-UL-SRPOD).

This case is inconsistent with the Future Land Use Map and Comprehensive Plan. It was presented to the Planning Commission on June 12, 2018 to satisfy UDO timing requirements, and then was referred to the Committee of the Whole for further discussion. The Committee of the Whole began review of this case on June 28, 2018, and held it for further discussion during the upcoming meeting on Thursday, August 23. The West CAC voted to recommend approval of the case on June 19, 2018 (Y-11, N-2).

The Planning Commission's current deadline for action is September 10, 2018. A request to City Council for 90-day time extension of the review period would establish a new deadline for Planning Commission action of November 12, 2018 and would allow for conclusion of the Committee of the Whole's discussion of the case.

File Attachments
20180814PLANRptPlanningCommissionZ918.pdf (1,814 KB)

D. OLD BUSINESS

Subject 1. Rezoning Z-2-18 Rock Quarry Road, south of its intersection with Ruby Drive (South CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category D. OLD BUSINESS

Type

Matthew Klem, City Planning

Z-2-18 Rock Quarry Road, on the south side of Rock Quarry Road, located at 6700 Rock Quarry Road, being Wake County PIN 1731540137. Approx. 90 acres are requested by Phillips Ventures LLC to be rezoned from Residential-4 (R-4) and Wake County Residential-30 (R-30) to Residential-6-Conditional Use (R-6-CU). Conditions limit number of dwelling units, offer 20% of the site to be set aside as open space, and limit development to the detached housing type, provide connection from the required greenway easement to the sidewalk network internal to the development and the sidewalk network along Rock Quarry Road.

The last condition mentioned above was submitted on July 31, 2018 in response to concerns raised by the Planning Commission. The language in the condition is considered sufficient to provide connectivity from the potential development to the greenway network.

At the May 22, 2018 Planning Commission meeting information was requested about the cost of providing services to the subject site. Cost information has been included in the staff report.

The South CAC voted on May 14, 2018 in favor of the request in a vote of 46 to 0. The vote was cast on the verbal offering of a condition that would limit the residential development of the site to detached homes only. A condition to this effect has been submitted.

The deadline for Planning Commission action is the regularly scheduled meeting of August 14, 2018.

File Attachments
20180814PLANOldBusinessZ218.pdf (3,203 KB)

Subject 2. Rezoning Z-12-18: 5021 & 5301 Homewood Banks Drive, south of Crabtree Valley Avenue which is south of Crabtree Valley Mall (Northwest CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category D. OLD BUSINESS

Type

Ira Mabel, City Planning

Z-12-18: 5021 & 5301 Homewood Banks Drive, south of Crabtree Valley Avenue which is south of Crabtree Valley Mall, being Wake County PINs 0795592353 and 0795592600. Approximately 5.77 acres are requested by Redus NC Land, LLC to be rezoned from Planned Development (PD) to Residential Mixed-Use-7 stories-Conditional Use (RX-7-CU). Conditions limit maximum density, describe the design of parking structures and certain building façades, and regulate outdoor lighting fixtures. The master plan associated with the current Planned Development district (MP-1-12) is included for reference.

The Planning Commission deferred the case without discussion on June 26, 2018 by the request of the applicant.

The Northwest CAC has not yet voted on the case.

The case is consistent with the Future Land Use Map and with the Comprehensive Plan overall. The deadline for Planning Commission action is September 24, 2018.

Correspondence from CWS Capital Partners (owner of The Marq at Crabtree, which is Phase I of the existing PD and directly adjacent to the rezoning site) opposing the rezoning is also included.

File Attachments

[20180814PLANCWCapitalPartners.pdf \(3,183 KB\)](#)
[20180814PLANOldBusinessZ-12-18.pdf \(3,995 KB\)](#)
[20180814PLANCrabtreeVillageMasterPlanMP-1-12.pdf \(1,198 KB\)](#)

Subject **3. Rezoning Z-13-18 New Bern Ave and Corporation Pkwy, north of New Bern Ave and bound by New Bern Ave, Corporation Pkwy, and New Hope Road (Northeast CAC)**

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category D. OLD BUSINESS

Type

Matthew Klem, City Planning

Z-13-18 New Bern Avenue and Corporation Parkway, north of New Bern Avenue and bound by New Bern Avenue, Corporation Parkway, and New Hope Road, being Wake County PIN(S) 1724960124, 1724868905, 1724868153 & 1724862746. Approx. 32 acres are requested by Joseph P. Riddle, Riddle Commercial Properties, Inc., and Wilders Grove Inc. to be rezoned from Commercial Mixed Use-3 stories (CX-3), Commercial Mixed Use-3 stories-Parkway (CX-3-PK), and Commercial Mixed Use-3 stories-Parkway-Conditional Use (CX-3-PK-CU) to Commercial Mixed Use-3 stories-Parking Limited-Conditional Use (CX-3-PL-CU). The proposed zoning condition prohibits adult establishments.

The Northeast CAC has not voted on the request. They are scheduled to meet again on September 13, 2018.

The Planning Commission's current deadline for action is September 11, 2018. If the Planning Commission wishes to take in to account the Northeast CAC feedback, a request to City Council for 90-day time extension of the review period would establish a new deadline for Planning Commission action. This would allow for the Northeast CAC to meet and vote on the request at their September 13, 2018 meeting.

File Attachments

[20180814PLANOldBusinessZ1318.pdf \(2,497 KB\)](#)

E. NEW BUSINESS

Subject **1. TC-4-18 North Ridge West Neighborhood Conservation Overlay District**

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

Eric Hodge

An ordinance to amend Section 5.4.3.F. of the Raleigh Unified Development Ordinance to add a set of neighborhood built environmental characteristics and regulations for the North Ridge West Neighborhood.

File Attachments

[20180814PLANTC-4-18.pdf \(150 KB\)](#)

Subject **2. 24 Month Waiver Request - Z-42-15 Lake Wheeler Road**

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

Matthew Klem, City Planning

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

Z-42-17 Lake Wheeler Road east side, approximately 300' south of Kirkland Road, being Wake County PINs 0792-99-0462, 0792-99-3385, 0792-99-5164, 0792-99-0312, 0792-99-6241, and 0792-99-7581. Approximately 5.21 acres are requested by Arvind Lavani to be rezoned from Residential-4 and Residential Mixed Use-3 (R-4 and RX-3, formerly R-4 and O&I-1) to Commercial Mixed Use-Four Stories-Conditional Use (CX-4-CU). The existing Special Residential Parking Overlay District (SRPOD) and Special Highway Overlay District-2 (SHOD-2) overlays would remain under the rezoning request. Conditions included with the request would prohibit several uses, including Light Manufacturing, Research and Development, Detention Center, Vehicle Repair, Animal Care, and Pawnshop; and would limit allowed uses other than Hotel/Motel/Inn or Group Living to a maximum of three stories and 50'.

This request was heard at a public hearing on July 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
[20180814PLANNewBusinessWaiverRequest.pdf \(3,724 KB\)](#)

Subject 3. Rezoning Z-8-18 Edwards Mill Road, north of Macon Pond Road between its intersection with Edwards Mill Road and Blue Ridge Road

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

Matthew Klem, City Planning

Z-8-18 Edwards Mill Road, north side of Macon Pond Road between its intersections with Edwards Mill Road and Blue Ridge Road, located at 2923 Edwards Mill Road, being Wake County PIN 0785637844. Approximately 27 acres are requested by REX Hospital INC to be rezoned from Office Mixed Use-7 stories-Parking Limited-Conditional Use (OX-7-PL-CU) and Office Mixed Use-3 stories-Urban Limited (OX-3-UL) to Office Mixed Use-12 stories-Conditional Use (OX-12-CU). Proposed conditions prohibit high intensity land uses; prohibit surface parking between buildings and the street on Edwards Mill Road, Blue Ridge Road, and the Blue Ridge Road extension; require street facing public entrances for buildings on Edwards Mill Road and Blue Ridge Road; and limit square footage entitlements for a variety of land use configurations.

The request is inconsistent with the 2030 Comprehensive Plan.

The Northwest CAC voted in favor of the request in a vote of 11 to 3.

The deadline for Planning Commission action is the regularly scheduled meeting of October 23, 2018.

File Attachments
[20180814PLANNewBusinessZ818.pdf \(2,168 KB\)](#)

Subject 4. Rezoning Z-10-18: 7745 Brier Creek Parkway, south of T. W. Alexander Drive (Northwest CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

John Anagnost, City Planning

Z-10-18 Brier Creek Parkway, on its east side, south of T. W. Alexander Drive, being Wake County PIN 0768693503. Approx. 3.11 acres are requested by 7751 Brier Creek HPI, LLC to be rezoned from Office Mixed Use-5 stories-Conditional Use (OX-5-CU) to Office Mixed Use-5 stories-Conditional Use (OX-5-CU) for the purpose of modifying conditions. Conditions prohibit the Telecommunications Tower use,

limit trip generation from the site, require a build-to, require a pedestrian entrance on T. W. Alexander Drive, and prohibit parking between the building and the street.

The request is consistent with the Future Land Use Map and the Comprehensive Plan. The Northwest CAC voted to recommend approval of the request on May 9, 2018 (Y-7, N-0). The deadline for Planning Commission to make a recommendation is November 12, 2018.

File Attachments
20180814PLANNewBusinessZ-10-18.pdf (3,114 KB)

Subject 5. Rezoning Z-15-18: 511 Carolina Pines Avenue & 2640 Cherry Circle, south of the I-40 interchange at South Saunders St, west of South Saunders St (Southwest CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

Ira Mabel, City Planning

Z-15-18: 511 Carolina Pines Avenue & 2640 Cherry Circle, south of the I-40 interchange at South Saunders St, west of South Saunders St, being Wake County PINs 1702373009 and 1702268517. Approximately 15.61 acres are requested by Shail Investors and Developers, LLC to be rezoned from Residential-6 (R-6), Residential-10 (R-10), and Conservation Management (CM) to Residential-10-Conditional Use (R-10-CU). Conditions limit maximum density, guarantee a protective yard in the portion of the site along Carolina Pines Avenue and Cherry Circle currently zoned CM, increase the stormwater control to a 25-year storm event, require certain building materials, and prohibit external stairs.

The Southwest CAC is scheduled to vote on August 13.

The case is consistent with the Future Land Use Map and with the Comprehensive Plan overall. The deadline for Planning Commission action is November 12, 2018.

File Attachments
20180814PLANZ-35-83CarolinaPinesAve.pdf (608 KB)
20180814PLANNewBusinessZ-15-18.pdf (5,452 KB)

Subject 6. Rezoning Z-17-18: 4200, 4208, 4210 Pearl Rd (South CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

Sara Ellis, City Planning

Z-17-18 Pearl Road, on the north side is located east and north of Auburn Church Road, west of Rock Quarry Road and south of Jones Sausage Road. The request includes three parcels being Wake County PINs 1721989838, 1721987943, 1721992011 totaling approximately 8.30 acres, requested by Longleaf Law Partners to be rezoned from Residential-4 (R-4) to Residential-6 with conditions (R-6-CU) for the purpose of increasing residential density and permitting townhomes. Conditions prohibit the apartment building type.

The request is consistent with the Future Land Use Map and the Comprehensive Plan. The South CAC voted to recommend approval of the request on July 9, 2018 (Y-26, N-5); the opposition vote was due to concerns about increases in traffic, and stormwater catchment design and management. The deadline for Planning Commission to make a recommendation is November 12, 2018.

File Attachments
20180814PLANNewBusinessZ-17-18.pdf (3,805 KB)

Subject 7. Rezoning Z-18-18: 2908 Garner Road, at the southwest corner of the intersection of Garner Road and Rush Street

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

Staff Resource - Donald R. Belk, AICP, City Planning

Z-18-18: 2908 Garner Road, being Wake County PIN 1702944574. Approximately 1.13 acres are requested by Telegraph Road Properties, LLC to be rezoned from Office Mixed-Use-3 stories-Conditional Use (OX-3-CU) to Residential Mixed Use-3 stories-Conditional Use (RX-3-CU). Conditions would prohibit certain principal uses such as boarding house, dormitory, fraternity, sorority, and emergency shelter type B.

The Central CAC has not yet voted on the case. It will be presented to the South CAC on September 10, 2018.

The case is consistent with the Future Land Use Map and with the Comprehensive Plan overall. The deadline for Planning Commission action is November 12, 2018.

File Attachments

[20180814PLANNewBusinessZ-18-18.pdf \(3,018 KB\)](#)

Subject 8. Rezoning Z-19-18: 8600 Falls of Neuse Road, approximately 1/3 of a mile south of its interchange with I-540 (North CAC)

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category E. NEW BUSINESS

Type

Ira Mabel, City Planning

Z-19-18: 8600 Falls of Neuse Road, on the southern side of Falls of Neuse Rd approximately 1/3 of a mile south of its interchange with I-540, being Wake County PIN 1718309966. Approximately 1.51 acres are requested by Darius Bazargan to be rezoned from Residential-4 (R-4) to Office Mixed-Use-3 stories-Conditional Use (OX-3-CU). Conditions limit building height and maximum square footage, regulate outdoor lighting fixtures, increase stormwater mitigation requirements, specify building materials, prohibit certain land uses, and require offers of vehicular cross-access.

Revised conditions were submitted on time for Planning Commission's review according to UDO section 10.2.4.F.2. However, the final wording of conditions have not been fully reviewed for enforceability by staff before the publication of the meeting agenda, and may therefore be subject to requests for technical revision.

The North CAC has not yet voted on the case.

The case is consistent with the Future Land Use Map and with the Comprehensive Plan overall. The deadline for Planning Commission action is November 12, 2018.

The owners of the three residential properties directly to the south of the site have expressed concerns about stormwater and other issues. Their letters of concern are attached.

File Attachments

[20180814PLANPublicCommentsZ-19-18.pdf \(454 KB\)](#)

[20180814PLANNewBusinessZ-19-18.pdf \(5,439 KB\)](#)

F. APPROVAL OF MINUTES

Subject 1. Draft June 26, 2018 Planning Commission Meeting Minutes

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month
Category F. APPROVAL OF MINUTES
Type
Staff Resource - Chenetha Eason

File Attachments
[Draft20180626PlanPCMinutes.pdf \(124 KB\)](#)

Subject 2. Draft June 28, 2018 Committee Of The Whole Meeting Minutes
Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month
Category F. APPROVAL OF MINUTES
Type
Staff Resource - Chenetha Eason

File Attachments
[Draft20180628CommitteeOfTheWholeMinutes - Copy.pdf \(98 KB\)](#)

G. OTHER BUSINESS

Subject 1. Report from the Chair
Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month
Category G. OTHER BUSINESS
Type

Subject 2. Report from the Members
Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month
Category G. OTHER BUSINESS
Type

Subject 3. Report from the Planning Director
Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month
Category G. OTHER BUSINESS
Type

File Attachments
[20180814PLANReportFromTheDirector.pdf \(16 KB\)](#)

Subject 4. Pending Items

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category G. OTHER BUSINESS

Type

File Attachments
[20180814PLANNextMeeting20180828.pdf \(42 KB\)](#)

Subject 5. Committee Agenda Items

Meeting Aug 14, 2018 - REGULAR MEETING - Second and fourth Tuesday of each month

Category G. OTHER BUSINESS

Type

H. ADJOURNMENT
