



PLANNING COMMISSION

APPROVED MINUTES

March 8, 2022, 5:30 p.m.
Virtual Meeting

I. Call to Order

Chair Amandolia called the meeting to order at 5:30 p.m.

II. Roll Call

MOTION: Excuse Commissioner Harrod. (Lowe, Morgan 2nd)

ACTION: Motion carried, 13-0.

Members Present:

Austin Amandolia, Chair
Nathaniel Baker
Bradley Battista
Brian Buzby,
Kimberly Cameron, Vice Chair
Garry Cutright
Erin Durkin
David Lowe
Scot Maclver
David Morgan
Anthony Sease
Carmen Williams
Zuri Williams

Excused Members Absent:

Bruce Herrod

Staff Present:

Grace Smith, Assistant Planning
Director
Michael Stock, Planning Manager
Leigha Larkins, Planner
Earlene Thomas, Transportation Engineer IV
Chris Peterson, Technology Liaison

III. Adjustments to the Agenda - None

Approval of the Minutes and Consistency Statements: January 27, 2022 and February 8, 2022

MOTION: Approve the Minutes and Consistency Statements for the January 27, 2022 and February 8, 2022 meeting with adjustments. (Cameron, Baker 2nd)

ACTION: Motion carried, 13-0

IV. Public Hearing: Comprehensive Plan Amendment

V. Public Hearing- Plan Amendment with Concurrent Zoning Map Change Request

VI. Public Hearing: Zoning Map Change Request

a. South Alston Apartment Rezoning (Z2000019)

Zoning Map Change Request: Office and Institutional (OI) to Planned Development Residential 15.371 (PDR 15.371)

Staff Report: Michael Stock presented South Alston Apartment Rezoning (Z2000019)

Public Hearing: Chair Amandolia opened the public hearing. The applicant spoke in support. No one spoke in opposition. Chair Amandolia closed the public hearing.

Commission Discussion: The discussion centered on affordable housing, appropriateness of apartments at this location and connection through the site. The applicant proffered 5% of the units to meet the UDO definition of affordable housing and an ADA accessible route through the site connecting S. Alston Avenue and West Park Drive.

MOTION: Recommend approval of Z2000019 (Morgan, Buzby 2nd)

ACTION: Motion carried, 10-3 (Battista, Morgan, C. Williams voting no)

Consistency Statement: Except for the Future Land Use designation, the Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

b. 509 Sherron Road (Z2100002)

Zoning Map Change Request: Residential Rural (RR), Residential Suburban – 20 (RS-20) to Planned Development Residential 6.904 (PDR 6.904)

Staff Report: Leigha Larkins presented 509 Sherron Road (Z2100002)

Public Hearing: Chair Amandolia opened the public hearing. The applicant spoke in support. Three people spoke in opposition. Chair Amandolia closed the public hearing.

Commission Discussion: The discussion centered on community members' concerns regarding stormwater controls and environmental protections, as well as the absence of a commitment to affordable units.

MOTION: Recommend approval of Z2100002 (Morgan, Buzby 2nd)

ACTION: Motion carried, 7-6 (Amandolia, Baker, Durkin, Sease, C. Williams, Z. Williams voting no)

Consistency Statement: Except for the Future Land Use designation, the Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

c. Wabash Parcels (Z2100006)

Zoning Map Change Request: Residential Urban-5 (RU-5) to Planned Development Residential 5.170 (PDR 5.170)

Staff Report: Michael Stock presented Wabash Parcels (Z2100006)

Public Hearing: Chair Amandolia opened the public hearing. The applicant spoke in support. four people spoke in opposition. Chair Amandolia closed the public hearing.

Commission Discussion: The discussion centered on the proposed density, impact on the existing community and neighborhood, affordability, and design. The applicant proffered an increase of the donation to Durham’s affordable housing fund to \$25,000.

MOTION: Recommend approval of Z2100006 (Morgan, Sease 2nd)

ACTION: Motion carried, 8-5 (Amandolia, Battista, Durkin, C. Williams, Z. Williams voting no)

Consistency Statement: Except for the Future Land Use designation, the Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

d. **Highgate Commercial (Z2100024)**

Zoning Map Change Request: Office and Institutional with a development pan (OI(D)) to Commercial General with a text-only development plan (CG(D))

Staff Report: Leigha Larkins presented Highgate Commercial (Z2100024)

Public Hearing: Chair Amandolia opened the public hearing. The applicant spoke and one other spoke in support. No one people spoke in opposition. Chair Amandolia closed the public hearing.

Commission Discussion: The discussion centered on impact to the American Tobacco Trail and anticipated uses of the site.

MOTION: Recommend approval of Z2100024 (Morgan, Cutright 2nd)

ACTION: Motion carried, 11-2 (Amandolia, Baker voting no)

Consistency Statement: Except for the Future Land Use designation, the Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

VII. **Public Hearing: Text Amendment**

a. **Omnibus 17 (TC2100006)**

This text amendment proposes technical revisions and minor policy changes to various provisions of the Unified Development Ordinance (UDO). The amendments are identified as necessary corrections, clarifications, re-organization, or other minor changes to clarify

the intent of the regulations or codify interpretations of regulations, or reflect minor policy changes, some of which are not solely technical in nature. Additionally, certain proposed changes are a result of recently adopted state legislation.

Staff Report: Michael Stock presented Omnibus 17 (TC2100006).

Public Hearing: Chair Amandolia opened the public hearing. Three people spoke in opposition. Chair Amandolia closed the public hearing.

Commission Discussion: The discussion centered on amendments to the small lot option and that staff will not move forward with those changes until meeting with Preservation Durham, per their request. Staff also discussed corrections needed for various proposed changes, including site triangles, small lots, cluster subdivisions, bike lanes. Other questions were posed regarding cul-de-sacs and walkway widths not currently under consideration.

MOTION: Recommend approval of TC2100006 (Morgan, Lowe 2nd)

ACTION: Motion Carried, 11-2, (Sease, C. Williams voting no)

Consistency Statement: The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

VIII. Old Business

- a. Reminder- April/May Comprehensive Plan Retreat – May 4, 2022 is the preferred date from those who responded from the doodle poll.

IX. New Business

- a. FY23 Planning Department Work Program

MOTION: Recommend approval of FY23 Planning Department Work Program (Morgan, Baker 2nd)

ACTION: Motion Carried, 13-0

X. Adjournment

The meeting adjourned at 10:21 p.m.

Respectfully Submitted,

Terri Elliott, Clerk
Durham Planning Commission