



PLANNING COMMISSION

APPROVED MINUTES

March 14, 2023, 5:30 p.m.
City Council Chamber, City Hall

I. Call to Order

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

II. Roll Call

Members Present:

Austin Amandolia, Chair
Nathaniel Baker
Sarah Chagaris
Brandon Davis
Kimberly Cameron, Vice Chair
Brandon Davis
Garry Cutright
Scot Maclver
David Morgan
Anthony Sease
Raymond Trapp
Stephen Valentine
Carmen Williams
Zuri Williams

Excused Members Absent:

Staff Present:

Grace Smith, Assistant Planning Director
Alexander Cahill, Senior Planning Manager
Aaron Cain, Principal Planner
Andrew Lester, Senior Planner
Jessica Dockery, Planning Manager
Earlene Thomas, Transportation Engineer IV

III. Adjustments to the Agenda – Move Text Amendment TC2200006 to first on the agenda.

Approval of the Minutes and Consistency Statements: February 28, 2023

MOTION: Approve the Minutes and Consistency Statements for the February 28, 2023, meeting. (Cameron, Baker 2nd)

ACTION: Motion carried, 12-0 (Z. Williams not yet arrived)

IV. Public Hearing: Comprehensive Plan Amendment

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

VI. Public Hearing: Text Amendment

a. Text Amendment Regarding Pet Waste Receptacles (TC2200006)

Revisions to the Open Space (Section 7.2) standards, Utility and Solid Waste Collection Facilities standards (Section 7.6), and Screening standards (Section 9.7) within the Unified Development Ordinance (UDO) in order to address ongoing concerns regarding Total Maximum Daily Loads (TMDL) of pollutants allowed to enter a water body and associated contamination of the drinking water supply.

Staff Report: Jessica Dockery presented **Text Amendment Regarding Pet Waste Receptacles (TC2200006)**.

Public Hearing: Chair Amandolia opened the public hearing. The applicant spoke in support. No one spoke in opposition. Chair Amandolia closed the public hearing. One person had a question regarding providing and maintaining receptacles in older subdivisions without Home Owner Associations.

Commission Discussion: The discussion centered on the significant impact of pollutants on the local drinking water supply and that this amendment was an important first step.

MOTION: Recommend approval of TC2200006 (Morgan, Trapp 2nd)
ACTION: Motion Carried, 12-0

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 is in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

Commissioner Zuri Williams arrived before the next case.

VII. Public Hearing: Zoning Map Change Request

a. Streets at Southpoint Mall II (Z2200028)

Zoning Map Change Request: Commercial Center with a Development Plan (CC(D)) and Residential Rural (RR) to Commercial Center with a Development Plan (CC(D))

Staff Report: Andrew Lester presented **Streets at Southpoint Mall II (Z2200028)**

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 need to transform suburban malls for new uses, the lack of affordable units, the concerns with supporting off-site affordable housing projects while not addressing affordability within the project, the lack of design elements to engage the street frontages and American Tobacco Trail, how parking will be handled with the redevelopment of the surface parking lots, the potential for EV charging stations and potential timelines for the rezoning process.

MOTION: Recommend approval of Z2200028 (Morgan, Valentine 2nd)
ACTION: Motion failed, 3-10 (Cameron, Morgan, Trapp voting yes)

Consistency Statement: The Planning Commission finds that the ordinance request is not consistent with the adopted *Comprehensive Plan*. The Commission believes the request is

not reasonable and not in the public interest and recommends denial based on comments received at the public hearing and the information in the staff report.

b. **Harlowe Point (Z2200032)**

Zoning Map Change Request: Planned Development Residential 4.001 (PDR 4.001) and Residential Suburban – 20 (RS-20) to Planned Development Residential 3.949 (PDR 3.949)

Staff Report: Andrew Lester presented **Harlowe Point (Z2200032)**

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 differences between the updated development plan and the previously approved development plan (Z1900019), and the current status of the development under construction.

MOTION: Recommend approval of Z2200032 (Morgan, Sease 2nd)

ACTION: Motion carried, 13-0

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 is in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

c. **Leesville Storage (Z2200037)**

Zoning Map Change Request: Commercial General with a development plan (CG(D)) and Residential Rural (RR) to Commercial General with a development plan (CG(D))

Staff Report: Andrew Lester presented **Leesville Storage (Z2200037)**

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

Commission Discussion: The discussion centered on hours of operation, tree coverage, blasting, buffers and stormwater.

MOTION: Recommend approval of Z2200037 (Morgan, Valentine 2nd)

ACTION: Motion carried, 12-1 (Amandolia 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 is in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

d. **602 North Hoover Road (Z2200045)**

Zoning Map Change Request: Residential Suburban – 20 (RS-20) to Industrial Light (IL)

Staff Report: Andrew Lester presented **602 North Hoover Road (Z2200045)**

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

Commission Discussion: The discussion centered on limiting potential uses based on comments from the neighborhood meeting and resident in attendance, the option and procedure to utilize the textual development plan to address those concerns, and concerns for uninformed residents.

MOTION: Recommend approval of Z2200045 (Morgan, Baker 2nd)
ACTION: Motion carried, 13-0

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 is 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

IX. New Business

- a. Grace Smith presented the FY24 Planning Department Work Program
MOTION: Recommend approval of FY24 Planning Department Work Program (Morgan, Cameron 2nd)
ACTION: Motion carried, 13-0
- b. Committee/Commission Appointments – Rules and Procedures are in the process of being updated.
- c. March 28, 2023 next meeting for the Comprehensive Plan

X. Adjournment

The meeting adjourned at 8:42 p.m.

Respectfully Submitted,

Terri Elliott, Clerk
Durham Planning Commission