



## PLANNING COMMISSION

### APPROVED MINUTES

April 11, 2023, 5:30 p.m.  
City Council Chamber, City Hall

#### I. Call to Order

Chair Amandolia called the meeting to order at 5:32 p.m.

#### II. Roll Call

##### Members Present:

Austin Amandolia, Chair  
Sarah Chagaris  
Kimberly Cameron, Vice Chair  
Scot MacIver  
David Morgan  
Anthony Sease  
Raymond Trapp  
Stephen Valentine  
Carmen Williams

##### Excused Members Absent

Nathaniel Baker  
Garry Cutright  
Zuri Williams

##### Staff Present:

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

#### III. Approval of the Minutes and Consistency Statements: March 14, 2023

**MOTION:** Approve the Minutes and Consistency Statements for the March 14, 2023, meeting. (Trapp, Valentine 2<sup>nd</sup>)

**ACTION:** Motion carried, 8-0

#### IV. Adjustments to the Agenda – None.

#### V. Public Hearing: Zoning Map Change Request

a. **1301 Doc Nichols Road (Z2200017) – Withdrawn by Applicant**

b. **631 & 633 Clayton Road (Z2200022)**

**Zoning Map Change Request:** Residential Suburban – 20 (RS-20) to Residential Suburban – Multifamily with a development plan (RS-M(D))

**Staff Report:** Aaron Cain presented **631 & 633 Clayton Road (Z2200022)**

**Public Hearing:** Chair Amandolia opened the public hearing. The applicant, and three people spoke in support. One community member spoke in opposition. Chair Amandolia closed the public hearing.

**Commission Discussion:** The discussion centered on Commissioner discussion: Question about ESC amendment approval; lighting at the intersection of Cheek and Clayton Roads and Woodland Park and Clayton Roads; there is a process for those requests to be made for signalization; asked about 833 Clayton Road and the sidewalk proffer. Commissioner C Williams stated that this is a good project in a bad location. She cited traffic and only being one point of ingress/egress as an issue. Commissioner Valentine asked about affordability, density, and buffers. The applicant responded that it was conversations with the City that led them to do townhomes. Nine income-restricted units are included. The applicant stated that NCDOT has said that there are no road improvements required for this project. The applicant responded that they will disturb the project boundary buffers as little as possible but may need to bring in the sewer. Commissioner Sease stated that asked the applicant to elaborate on why the applicant will not fill in the sidewalk gaps. The applicant stated that they are not looking to install sidewalks on other people’s property. Earlene Thomas stated that an easement may be required to construct the sidewalk. Commissioner Trapp said that this project provides diversity of housing, affordable housing, and proximity to transit. Commissioner Amandolia asked about a crosswalk to Southern High School. The applicant stated there is no crosswalk planned. NCDOT has stated that installing a crosswalk at this location would not be a simple matter. Commissioner Amandolia requested that the applicant and/or city do due diligence with the property owner of the sidewalk gap. Commissioner Sease stated that City leadership needs to lean on NCDOT to figure out the sidewalk and crosswalk situation. Commissioner Chagaris asked about tree preservation. The applicant clarified that they will have to cut trees down to bring in the sewer line but they have no plans to cut other trees down in the tree coverage areas. Commissioner C Williams stated that bus service in Durham is not ideal so the addition of a bus stop is not particularly enticing.

**MOTION:** Recommend approval of Z2200022 (Morgan, Valentine 2<sup>nd</sup>)

**ACTION:** Motion carried, 6-2 (Chagaris, C. Williams voting No, McIver not yet present)

**Consistency Statement:** The Planning Commission finds that the ordinance request is consistent with the Comprehensive Plan and other adopted plans and policies. However, the proposal is inconsistent with the existing Future Land Use Map designation, which is currently designated Low Density Residential (4 DU/Acre or less). The proposed density of the site is 7.916 units per acre, which is within the density range of the Low-Medium Density Residential (4-8 DU/Acre) Future Land Use Map designation. The proposal would allow the development of 61 townhouse units on a vacant property, with nine of those units being “income restricted” housing units. The proposal offers an additional dwelling type in a predominantly single-family area, is located across the street from Southern High School and transit service is provided by GoDurham. While no comments have provided concern via Social Pinpoint, Transportation did request additional sidewalk to address gaps in the sidewalk system along the west side of Clayton Road, but the request remains unfulfilled. The Planning Commission recommends approval based on comments received at the public hearing and the information in the staff report.

c. **Brightleaf North (Z2200033)**

**Zoning Map Change Request:** Commercial General with a development plan (CG(D)) to Commercial Neighborhood with a development plan (CN(D))

**Staff Report:** Aaron Cain presented **Brightleaf North (Z2200033)**

**Public Hearing:** Chair Amandolia opened the public hearing. The applicant spoke in support, and three people spoke in opposition. Chair Amandolia closed the public hearing.

**Commission Discussion:** The discussion centered on What are the project boundary buffers? Will mature trees be retained? Will commercial be removed Commissioner Chagaris asked about constructing the Lick Creek Greenway. Laura Holloman stated that they will provide an access to the future greenway, but not construct the greenway itself. Commissioner Sease asked why this is a CN zoning request and not a PDR. The applicant stated that the uncertainty of US 70 led to this request. Commissioner Sease stated that he feels that PDR is more appropriate. Chair Amandolia asked if there is a possibility if future US 70 construction could affect the proposal. Earlene Thomas replied that the reservation can accommodate whatever is constructed. Chair Amandolia asked why staff changed this site is being changed from COM on the FLUM to ATH on the Place-Type Map. Scott Whiteman stated that access from US 70 was a factor is changing the designation.

**MOTION:** Recommend approval of Z2200037 (Morgan, C. Williams 2<sup>nd</sup>)

**ACTION:** Motion carried, 8-1 (Sease voting no)

**Consistency Statement:** The Planning Commission finds that the proposal is consistent with the Comprehensive Plan and other adopted plans and policies. The proposal would allow the development of 90 townhouse units. The proposal enhances pedestrian, bicycle and vehicular connectivity through enhances traffic and greenway infrastructure, and a monetary donation to GoDurham towards a bus shelter. Per UDO paragraph 1.2.1, this proposal is in the public interest due to the increasing the supply of housing options in the City of Durham. 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. **Fletcher Crossing (Z2200035)**

**Zoning Map Change Request:** Residential Suburban-20 (RS-20) & Residential Rural (RR) to Planned Development Residential 8.347 (PDR 8.347)

**Staff Report:** Aaron Cain presented **Fletcher Crossing (Z2200035)**

**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: applicant stated that there are stormwater controls that will be done at site plan. Would comply with new erosion control measures. Cannot commit to a wider landscape buffer at this time but street yards will prevent buildings from being closer than 20' from property lines. Commissioner Morgan asked about land that does not seem to be used at the intersection of Mineral Springs and Holder. The applicant stated that there is possible signalization and NCDOT

may need ROW. Commissioner Valentine asked for specificity on the erosion control measures.

**MOTION:** Recommend approval of Z2200035 (Morgan, Sease 2<sup>nd</sup>)

**ACTION:** Motion denied, 5-4 (Amandolia, Cameron, Chagaris, Valentine, C. Williams voting No)

**Consistency Statement:** The Planning Commission finds that the proposal is not consistent with the Comprehensive Plan and other adopted plans and policies. The proposal is inconsistent with the existing Future Land Use Map designation, which is currently designated Low-Medium Density Residential (4-8 DU/Acre). The proposed density of the site is 8.34 units per acre, which is within the density range of the Medium-High Density Residential (8-20 DU/Acre) Future Land Use Map designation. The proposal would allow the development of 80 townhouses on what is currently a single-family residence property. Per UDO paragraph 1.2.1, this proposal is in the public interest due to providing additional housing units for the City of Durham. The Commission believes the request is not reasonable and is not in the public interest and does not recommend approval based on comments received at the public hearing and the information in the staff report.

e. **Lumley Road Multifamily (Z2200052)**

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

**Staff Report:** Aaron Cain presented **Lumley Road Multifamily (Z2200052)**

**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 Applicant responded that they are aware that upgrades are needed at the pump station and think they are appropriate at the site plan stage. Commissioner Morgan asked about committing to the 100-year storm event. The applicant stated that the 100-year storm event is required by the UDO. We need to follow up on the Reference Guide for Development Standards on Stormwater Control Measures. Commissioner Williams: Would like to see Brownstone facades to add value and differentiate the exterior product type. Chair Amandolia: What are the thoughts on the mix of townhouses and apartments? Applicant: all townhouses would be very difficult, and committing to a minimum of one or the other is difficult with the topography of the site. Commissioner Sease: lack of congruity between presentation and commitment regarding lack of commitment to a minimum of either housing type. Also need to address 100-year storm concern. Those need to be addressed before Council. Commissioner Chagaris: Concerned about issues regarding County pump station. Applicant: committed to providing sewer to the site. Need to coordinate with NCDOT regarding US 70 and its implication. Will be addressed at time of site plan. Commissioner Sease asked about connectivity to the parcel to the west. Earlene Thomas stated that if the development to the west builds their stubout then this project will be required to connect. Commissioner Sease asked the applicant to provide a stubout or some sort of connection to the west. The County real estate department attended virtually and spoke to the lift station issues in the area.

**MOTION:** Recommend approval of Z2200052 (Morgan, Trapp 2<sup>nd</sup>)

**ACTION:** Motion carried, 8-1 (Sease voting No)

**Consistency Statement:** The Planning Commission finds that the proposal is consistent with the Comprehensive Plan and other adopted plans and policies. However, the proposal is inconsistent with the existing Future Land Use Map designation, which is currently designated Office. The proposed density of the site is 10.06 units per acre, which is within the density range of the Medium-High Density Residential (8-20 DU/Acre) Future Land Use Map designation. The proposal would allow the development of up to 480 multifamily and townhouse units on a vacant property, with a minimum of three percent of the units being income restricted. The site for the proposed development is located close to Brier Creek and therefore approximately two miles from a variety of uses and resources for residents. Per UDO paragraph 1.2.1, this proposal is in the public interest due to provision of additional housing, particularly units for residents of moderate income. 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.

**f. 4000 Sancar (Z2200053)**

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

**Staff Report:** Aaron Cain presented **4000 Sancar (Z2200053)**

**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 Commissioner C Williams asked if this was a part of HUB RTP. Travis Crayton stated that there are no development plans for the site and it is adjacent to HUB RTP.

**MOTION:** Recommend approval of Z2200053 (Morgan, Baker 2<sup>nd</sup>)

**ACTION:** Motion carried, 8-0 (Trapp recused)

**Consistency Statement:** The Planning Commission finds that the proposal is consistent with the Comprehensive Plan, Future Land Use Map designation and other adopted plans and policies. While no specific use has been identified, the proposal would facilitate future Research Triangle Park research-oriented uses of the site, which is similar to surrounding land uses and other Science Research Park and Science Research Park – Center zoning designations throughout RTP. Per UDO paragraph 1.2.1, this proposal is in the public interest due to the conformance of SRP-C zoning district on a property that is surrounded by similar zoning districts and designated Commercial on the Future Land Use Map. 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.

**VI. Old Business**

**VII. New Business**

- a. Deliberated Comprehensive Plan policies and voted to continue case to May 23, 2023, meeting.

**VIII. Adjournment**

The meeting adjourned at 8:58 p.m.

Respectfully Submitted,

Joanne Gordon, Clerk  
Durham Planning Commission