



PLANNING COMMISSION

APPROVED MINUTES

Planning

September 13, 2022 at 5:30 p.m.
City Council Chamber, City Hall

In person with virtual option to attend for residents and applicants

I. Call to Order

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

II. Roll Call

MOTION: Excuse Commissioners Harrod. (Baker, Morgan 2nd)

ACTION: Motion carried, 10-0 (Cameron not yet arrived)

Members Present:

Austin Amandolia, Chair
Nathaniel Baker
Kimberly Cameron, Vice Chair
Brandon Davis
Garry Cutright
Erin Durkin
Scot Maclver
David Morgan
Anthony Sease
Carmen Williams
Zuri Williams

Excused Members Absent:

Bruce Harrod

Staff Present:

Grace Smith, Assistant Planning Director
Alexander Cahill, Senior Manager
Brooke Roper, Senior Planner
Earlene Thomas, Transportation Engineer IV
Chris Peterson, Technology Liaison
Amanda Holmes, Administrative Specialist
Lauren Edman, Associate Business Services Analyst

III. Adjustments to the Agenda

Approval of the Minutes and Consistency Statements: July 12, 2022 and August 9, 2022

MOTION: Approve the Minutes and Consistency Statements for the July 12, 2022 and August 9, 2022 meeting. (Morgan, Baker 2nd)

ACTION: Motion carried, 10-0 (Cameron not yet arrived)

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. 5202 Leesville (Z2100018)

Zoning Map Change Request: Residential Rural (RR) to Planned Development Residential 5.441 (PDR 5.441)

Staff Report: Alexander Cahill presented 5202 Leesville (Z2100018)

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

Commission Discussion: The discussion centered on environmental impacts, mass grading, inconsistency with the intent statement of the Planned Development Residential district, and the need for the site to be more compact, dense, and contain a mix of uses.

MOTION: Recommend approval of Z2100018 (Morgan, Baker 2nd)

ACTION: Motion failed, 1-10 (C. Williams 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 nor in the public interest and recommends denial based on comments received at the public hearing and the information in the staff report.

b. 1402 Holloway Street (Z2100031)

Zoning Map Change Request: Residential Urban Multifamily with a Development Plan, Case: P88-58 (RU-M(D)) to Residential Urban Multifamily with a Development Plan (RU-M(D))

Staff Report: Damiere Powell presented 1402 Holloway Street (Z2100031)

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

Commission Discussion: The discussion centered on the affordable units and where the potential site access will be.

MOTION: Recommend approval of Z2100031 (Morgan, Baker 2nd)

ACTION: Motion carried, 11-0

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

c. Durham Elementary School F (Z2200016)

Zoning Map Change Request: Planned Development Residential 3.440 (PDR 3.440); Planned Development Residential 6.800 (PDR 6.800) to Office and Institutional with a Development Plan (OI(D))

Staff Report: Brooke Roper presented Durham Elementary School F (Z2200016)

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 the location of the proposed elementary school, potential environmental impacts, and site access.

MOTION: Recommend approval of Z2200016 (name, name 2nd)

ACTION: Motion carried, 10-1 (Davis 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.

d. **Greater Love Worship Center (Z2200021)**

Zoning Map Change Request: Planned Development Residential 3.440 (PDR 3.440); Planned Development Residential 6.800 (PDR 6.800) to Office and Institutional with a Development Plan (OI(D))

Staff Report: Alexander presented Greater Love Worship Center (Z2200021)

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: There was no discussion around this item.

MOTION: Recommend approval of Z22000021 (Morgan, Baker 2nd)

ACTION: Motion carried, 11-0

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

e. **1110 Old Oxford Road (Z2000009)**

Zoning Map Change Request: Residential Suburban-20 (RS-20) to Commercial General with a Development Plan (CG(D))

Staff Report: Alexander Cahill presented 1110 Old Oxford Road (Z2000009)

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

Commission Discussion: The discussion centered on the Bragtown Community Association recommendation, needs of the surrounding community, and noise and light nuisances.

MOTION: Recommend approval of Z2000009 (Morgan, Baker 2nd)

ACTION: Motion failed, 0-11

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

f. **NCCU 24/7 Collaborative Research & Learning Center (Z2100035)**

Zoning Map Change Request: Residential Urban5 (RU University and College5) and 2 (UC Zoning Overlay(s) 2) to University and College2(D)) 2 with a Development Plan (UC))

Staff Report: Damiere Powell presented NCCU 24/7 Collaborative Research & Learning Center (Z2100035)

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

Commission Discussion: The discussion centered on stormwater and flooding concerns, the Transitional Use Area, and the grant timing and award.

MOTION: Recommend approval of Z2100035 (Morgan, Baker 2nd)

ACTION: Motion carried, 11-0

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

g. **Geer and Junction (Z2100026)**

Zoning Map Change Request: Residential Rural (RR) to Planned Development Residential 19.520 (PDR 19.520)

Staff Report: Brooke Roper presented Geer and Junction (Z2100026)

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

Commission Discussion: The discussion centered on the affordable housing commitment and number of units proposed.

MOTION: Recommend approval of Z2100026 (Morgan, Cameron 2nd)

ACTION: Motion carried, 11-0

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

h. **Stella View (Z2100008)**

Zoning Map Change Request: Residential Rural (RR) and Residential Suburban-20 (RS-20) to Planned Development Residential 4.484 (PDR 4.484)

Staff Report: Alexander Cahill presented Stella View (Z2100008)

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 the suburban sprawl nature of the proposal and the lack of commitments as compared to other proposals.

MOTION: Recommend approval of Z2100008 (Morgan, Baker 2nd)

ACTION: Motion failed, 2-9 (Cutright, Sease 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 in the public interest and recommends denial based on comments received at the public hearing and the information in the staff report.

i. **4150 Old Chapel Hill Road (Z2100046)**

Zoning Map Change Request: Commercial Neighborhood (CN) and Residential Suburban – 20 (RS20) to Commercial General with a Text-Only Development Plan (CG(D))

Staff Report: Alexander Cahill presented 4150 Old Chapel Hill Road (Z2100046)

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: There was no discussion around this item.

MOTION: Recommend approval of Z2100046 (Morgan, Baker 2nd)

ACTION: Motion carried, 9-2 (Durkin, 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.

j. **Mineral Springs Road (aka Mica Ridge) (Z2100028)**

Zoning Map Change Request: Residential Suburban – 20 (RS-20) and Commercial General (CG) to Planned Development Residential - 4.68 (PDR – 4.68)

Staff Report: Brooke Roper presented **Mineral Springs Road (aka Mica Ridge) (Z2100028)**

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

Commission Discussion: The discussion centered on traffic, environmental protections and the impact to surrounding properties

MOTION: Recommend approval of Z2100028 (Morgan, Baker 2nd)

ACTION: Motion failed, 0-11

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

VII. Public Hearing: Text Amendment

a. Simplifying Codes for Affordable Development (SCAD) – UDO Text Amendment (TC2200002)

Text Amendment TC2200001 is a privately initiated request to amend various provisions of the Unified Development Ordinance (UDO) to incentivize additional affordable housing and to allow additional flexibility in the siting and design of housing. The draft proposal was discussed at the June 1, 2022 and August 3, 2022 Joint City-County Planning Committee meetings. The applicant has met with staff several times since then and some revisions have been made based on staff input.

Public Hearing: Chair Amandolia opened the public hearing. The applicant spoke in support. Two people requested a continuance to have more time to work with the applicant. Chair Amandolia closed the public hearing.

MOTION: Recommend continuance of TC2200001 for 90 days (three cycles, to the regular December meeting) (Cameron, Sease 2nd)

ACTION: Motion Carried, 11-0

VIII. Old Business

IX. New Business

a. Annual election of Chair and Vice Chair

MOTION: Nominate and elect Austin Amandolia for Chair (Durkin, Cameron 2nd)

ACTION: Motion Carried, 10-0

MOTION: Nominate and elect Kimberly Cameron for Vice Chair (Durkin, C. Williams 2nd)

ACTION: Motion Carried, 10-0

X. Adjournment

The meeting adjourned at 10:07 p.m.

Respectfully Submitted,

Terri Elliott, Clerk
Durham Planning Commission