



# Action Minutes: Planning Commission

**Meeting Date:** April 21, 2015

**Members Present:** Neal Bench (Chair), Travis Crayton, Melissa McCullough, Michael Parker, Amy Ryan (Vice-Chair), Buffie Webber, Brian Wittmayer

**Members Absent:** Deborah Fulgheri, **Joint Planning Area Member:** Vacant **Council Member:** George Cianciolo

**Staff Present:** Kay Pearlstein, Gene Poveromo,

Agenda Item	Discussion Points	Motion/Votes/Outcome	Action
<b>Opening Items</b>	<ol style="list-style-type: none"> <li>1. Meeting was called to order at 7:00pm.</li> <li>2. Adoption of April 7<sup>th</sup> 2015 Action Minutes.</li> <li>3. Recognizing the April 15, 2015 Planning Commission meeting.</li> <li>4. Order of items on the Agenda.  The Chair also noted that the Ephesus-Fordham item was rescheduled to the May 5, 2015 meeting.</li> <li>5. Excusing a Commission Member from the meeting at 7:45 p.m.</li> </ol>	<ol style="list-style-type: none"> <li>1. Quorum present</li> <li>2. Michael Parker moved and Travis Crayton seconded a motion to approve the March 7<sup>th</sup>, 2015 Action Minutes noting that the spelling of Travis Crayton last name, under item 5, was incorrect.</li> <li>3. Neal Bench suggested that the Commission post a copy of the minutes from the April 15, 2015 minutes.</li> <li>4. The Planning Commission agreed to consider the New Business items before Old Business.</li> <li>5. In response to a request from Buffie Webber, Neal Bench moved and Travis Crayton seconded a motion to excuse Buffie Webber from the meeting at 7:45 p.m.</li> </ol>	<ol style="list-style-type: none"> <li>1. None</li> <li>2. The motion was approved 7-0.</li> <li>3. Amy Ryan agreed to provide a summary of the meeting to be posted to the web page.</li> <li>4. The Agenda was amended.</li> <li>5. The motion was approved 6-0.</li> </ol>

<b>Consent Agenda</b>	No items		
<b>New Business</b>	<p>6. Grace Church Special Use Permit</p> <p>7. Grove Park Special Use Permit Modification</p>	<p>6. Amy Ryan moved and Michael Parker seconded a motion to recommend Resolution A, with an increase in the number of parking spaces from 284 to 300.</p> <p>7. Amy Ryan moved and Brian Wittmayer Parker seconded a motion to recommend Resolution A, with changes to several stipulations and adding four new stipulations.</p>	<p>6. The motion was approved 6 to 0. See attached Recommendation.</p> <p>[Buffie Webber left the meeting prior to the vote and therefore did not vote on this motion]</p> <p>7. The motion was approved 6 to 0. See attached Recommendation.</p>
<b>Old Business</b>	8. Obey Creek Development Proposal - Land Use Management Ordinance Text Amendment, Zoning Atlas Amendment, and draft Development Agreement.	<p>8. The Commission agreed to defer action on the Text amendment and the Zoning Atlas Amendment to the next meeting.</p> <p>Michael Parker moved and Brian Wittmayer seconded a motion to forward to Council the Commission's comments on the Development Agreement (attached).</p>	<p>8. This item is scheduled on the May 5, 2015 agenda.</p> <p>The motion was approved 6 to 0.</p>
<b>Reports</b>	<p>Elkin-Hill Planning Commission Member Liaison</p> <p>Improving the Development Review Process</p>	<p>Due to the late hour, the Commission agree to defer this matter to a future meeting.</p> <p>Brian Wittmayer suggested that the Commission consider this item in July or August, after the Council appoints new Commission members.</p>	<p>This item is scheduled on the May 19, 2015 agenda.</p> <p>The Commission agreed. This item is scheduled on the August 4, 2015 agenda</p>
<b>Adjournment</b>		The Chair announced the meeting adjourned at 10:55 pm.	

## PLANNING COMMISSION

*The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.*

### RECOMMENDATION GRACE CHURCH EXPANSION (PROJECT #14-079) SPECIAL USE PERMIT

April 21, 2015

**Recommendation:**    **Approval**           **Approval with Conditions**           **Denial**  

**Motion:** Amy Ryan moved and Michael Parker seconded the motion to approve the Special Use Permit Modification with the following change to Resolution A:

- That stipulation #2 be changed to allow 300 vehicular parking spaces rather than 284.

**Vote:**    6-0

Ayes: Neal Bench, Travis Clayton, Melissa McCullough, Michael Parker, and Brian Whittmayer

Issues Raised:

Park and Ride Spaces: Some Commission members stated that the property owner might be interested in charging for the park and ride spaces. The Commission recommended that the applicant discuss this matter with staff.

Prepared by: Neal Bench, Chair, Planning Commission  
Kay Pearlstein, Planning and Sustainability Staff

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### RECOMMENDATION GROVE PARK (aka RESIDENCES AT GROVE PARK) SPECIAL USE PERMIT MODIFICATION April 21, 2015

**Recommendation:**    **Approved**                     **Approval with Conditions**                     **Denied**

**Motion:**            Amy Ryan moved and Brian Wittmayer seconded to recommend approval of Resolution A with the following changes:

**Recommendation:** The Planning Commission voted 7–0 for Resolution A recommending that Council approve the Edge special use permit, with the following revisions to existing stipulations (new text underlined, deleted text strikeout):

10. Traffic Calming at North Street and Hillsborough Street: That the applicant provide a ~~payment in lieu of \$60,000 to the Town to install~~ traffic calming devices (e.g. overhead flashing lights) along Hillsborough Street or similar traffic calming measures as determined by the Town Manager prior to issuance of a ~~Zoning Compliance Permit~~ Certificate of Occupancy. ~~If the devices are not installed within in five years of the issuance of a Certificate of Occupancy, upon request by the property owner, the payment in lieu will be returned.~~
  
17. Cross-Access Easement: That the applicant shall provide an access easement to the southern property line for potential future pedestrian ~~and vehicular~~ cross access. That the easement corresponds to the approved LUX cross access easement. The shared path between Grove Park and Lux shall be bike- and pedestrian-only and 10 feet wide as per AASHTO standards. That the easement shall be recorded and approved by the Town Manager and recorded at Orange County Register of Deeds prior to issuance of a Zoning Compliance Permit.

The Recommendation also included adding the following new stipulations:

Pedestrian Crossing(s) on Hillsborough Street: That, prior to the issuance of the first Certificate of Occupancy, the applicant either improve the existing pedestrian crossing on Hillsborough Street at North Street, and, or install an additional pedestrian crossing, at a location to be reviewed and approved by town staff. As determined appropriate by town staff, the improvements may include high visibility crosswalk striping, signage, and pedestrian activated flashing lights.

Motorcycle and Moped Parking Spaces: That a portion of the proposed automobile parking spaces shall be allocated to motorcycle and moped parking.

Bicycle and Pedestrian Signage: That signage should be provided at the MLK Jr. Blvd. driveway alerting motorists to bicycle and pedestrian crossing.

Electrical charging stations: That a portion of the proposed parking spaces shall provide electric infrastructure for electric vehicle charging stations. Such stations shall be clearly designated with signage.

The Commission also agreed to wait for a recommendation from the Housing Advisory Board before commenting on the applicant's affordable housing proposal.

**Vote: 6-0**

**Ayes:** Neal Bench, Travis Crayton, Melissa McCullough, Michael Parker, Amy Ryan, and Brian Wittmayer

**Nays:** None

Prepared by: Neal Bench, Chair, Planning Commission  
Gene Poveromo, Staff

DRAFT

**Summary Comments on Obey Creek Development Agreement and Design Guidelines**  
**Chapel Hill Planning Commission**  
**4.24.15**

These comments are from the commission's review of the 3.20 DA document and 3.19 design guidelines. We will be reviewing the updated versions of both documents and forwarding further comments to Council.

**1. General**

We recommend retaining the services of an attorney with the appropriate expertise to review the development agreement documents. The attorney should be tasked with reviewing these documents as an advocate for the interests of the Town's residents.

**2. Development Agreement Article 5.1, Mix of Uses**

The town should find a way to ensure that the final mix of uses falls within the "sweet spot" of the composition of a successful mixed use development; the 12/8/14 memo from Roger Waldon to Ben Perry suggests that the minimums for retail currently proposed at Obey Creek are not consistent with best practice.

In addition to the minimum and maximum square footages in the table in Article 5.1, we recommend specifying a 20 percent minimum and 60 percent maximum limit for each category of use, as recommended by the American Planning Association and cited in the Waldon/Perry memo.

**3. Development Agreement Article 5.1, Square Footage**

We are concerned that the proposed project maximum of 1.6 million square feet is too large and will produce unacceptable negative effects on

- 15-501 (lane widening impairing connectivity to Southern Village, traffic volume and performance at peak and other hours)
- place-making (particularly in terms of block sizes and some building heights)
- public transit (problem meeting anticipated demand)
- the surrounding neighborhoods, particularly from traffic

We're also concerned that the current fiscal analysis does not accurately represent the development's net financial effects on the town.

Accordingly, we recommend exploring the implications of a smaller plan of approximately 1.1 million square feet as an alternate scenario, to compare the traffic, fiscal, and other pertinent impacts at this smaller size.

**4. Development Agreement Article 5.4.c, Traffic Impact Study**

(a) There should be a ceiling to traffic generation allowed for the site tied to traffic numbers at peak times of day, in addition to the daily traffic total now referenced in the development agreement.

(b) Before the issuance of any new DA compliance permit, the developer should supplement the required TIS data with actual traffic data from the area to ensure that the proposed new construction will not exceed the development's traffic generation ceiling.

#### **5. Development Agreement Article 5.4.g, Other Transportation-Related Contributions**

The Dogwood Acres traffic study should be commissioned and traffic calming measures should be installed, since the impacts there are the direct consequence of the Obey Creek development, provided that all DOT regulations are complied with and the residents form the appropriate legal entity.

#### **6. Development Agreement Article 5.4.d, Specific Roadway Improvements**

The development agreement should not be finalized until DOT has made a decision about a fully signalized intersection at Sumac Road, so that the town can weigh the consequences of the DOT decision on traffic volumes and circulation patterns.

#### **Additional Information Requested**

We recommend that the following data and visual references be provided to help Council make a full evaluation of the effects and characteristics of the proposed development and better communicate these elements of the plan to the public.

1. A calculation of impervious surface and canopy cover on the developed portion of the site, compared to a familiar local reference site, as well as floor area ratio calculations (including the structured parking) for the developed portion of the site.
2. The applicant is creating a computer 3D model of the developed site to show spatial relationships of the proposed buildings and public spaces. The images generated should include views from eye level of all areas.
3. In the current plan showing the location of the different building typologies, 2 and 6 are represented as a single color code; we request clarification on how the developer will decide which typology will go where and what the effects of those choices will be.
4. We would like to see E-W site sections along all secondary streets, showing how building height maximums relate to the topography from Southern Village down through the Preserve and what the views from 15-501 will be.
5. The development team has offered to provide an analysis comparing the Obey Creek sign standards to the Town sign standards in LUMO. We recommend adding to the analysis the signage standards in the Ephesus-Fordham district, so we can compare all three and bring alignment to signage across town.