

AGENDA
CITY-COUNTY PLANNING BOARD
VIRTUAL WORK SESSION
JUNE 24, 2021
4:30 P.M.

MEMBERS PRESENT: George Bryan, Melynda Dunigan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman
MEMBERS ABSENT: None
PRESIDING: Chris Leak

I. STORAGE SERVICES, RETAIL, TEXT AMENDMENT (UDO-CC11)

The Board will continue its deliberation on UDO-CC11, a text amendment proposing use-specific standards for Storage Services, Retail. Tiffany White presented this item at the June 10th Planning Board meeting, where a public hearing was held and closed. Following initial discussions on this item and a proposal to modify the ordinance language, the Board made a motion to continue UDO-CC11 to the June work session. This item is a 2020-2021 Planning Board work program item [initial staff-recommended ordinance and proposed modified ordinance attached]. (Board Action Required)

After lengthy discussion at the June public hearing, the Board moved to continue this item to the June Work Session to consider alternative ordinance language proposed by George Bryan. Tiffany White presented a detailed comparison of the proposed changes and draft ordinance to the Board, and George asked if any of his proposed language could cause unintended consequences. Kirk Ericson read George's proposed change relating to façades and stated that staff was fine with the language so long as everyone understood its intent. He went on to state that approving most storage buildings would be a staff-level decision and there would be no public input. He noted that if the Board were really concerned about the 100-foot uninterrupted façade length, it may be worth reducing this number or changing the 25 percent façade transparency requirement.

George explained that what he was trying to do was give staff some structure where they could negotiate with developers. Mo McRae pointed out that these standards are more like design standards, which we do not have, and that it would be left up to an individual's interpretation as to what rhythm is. Walter Farabee stated that he liked the revised language, but that 5 to 10 years from now it may be interpreted differently. He was also in agreement with Kirk that Elected Body approval could take into account the compatibility of storage buildings with the neighborhood and community's concerns. Walter suggested reducing the minimum length for building articulation so that design expectations were clearer. Jack Steelman stated that even the thought of a blank 75-foot wall in a PB district did not seem to address the intent everyone is trying to achieve, so he would fully support either reducing this distance or even eliminating storage services as a permitted use in the PB district.

Jack Steelman stated that most new storage buildings were multi-story and asked for clarification regarding the required non-residential, non-storage related uses in PB zoning. Kirk stated that the ordinance only required 50 percent of the street level to contain of this use, and Jack indicated that there could be more precise language for the provision. Alternative language was discussed. Clarence stated that he thought the proposed language is making things complex,

unclear, and very subjective, and suggested drafting amendments so that they are easily understood and not subjective.

Melynda mentioned that she is concerned that allowing storage services could make some activity centers less walkable but sees these changes as a reasonable compromise. Brenda stated that as of now this use is not allowed in certain places and that she is not completely positive about all aspects of it but agreed with Melynda that she felt the proposed ordinance was a compromise.

MOTION: George Bryan made the motion to approve UDO-CC11 with the amended language discussed by the Board.

SECOND: Melynda Dunigan

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: Jason Grubbs

EXCUSED: None

II. TURKEY SHOOT TEXT AMENDMENT (UDO-CC13)

David Reed will present a draft text amendment proposed by Edward Nichols to modify standards for Turkey Shoots (UDO-CC13) [attached]. A Planning Board public hearing for this item has been scheduled for July 8th. (No Board Action Required)

The regulations for the temporary Turkey Shoot use were established in 1967 and have not been revisited since that time. After speaking with staff about possible changes in setbacks and notification requirements, the applicant proposed this text amendment. David Reed explained to the Board the proposed changes. Staff felt these changes are appropriate and will allow the use to still be viable but will make it a better neighbor to surrounding property owners.

George suggested that the definition of Turkey Shoot be included in the UDO amendment, and it be revised to limit Turkey shoots to using shotguns only. He went on to say that most shooting contests control the load of the gun so that no contestant has an advantage over another when they shoot at the target. David stated that staff would be happy to research if our peer cities regulate control of the load. There was also lengthy discussion about the distance shooting could take place from adjoining properties.

A public hearing on this item will be held on July 8.

III. ADOPTION OF FY '21-22 PLANNING BOARD WORK PROGRAM

The Planning Board will vote on the draft Fiscal Year 2021-22 work program [attached]. Kirk Ericson previously presented this item to the Board at its May work session. (Board Action Required)

MOTION: Jack Steelman

SECOND: Clarence Lambe

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

IV. DEBRIEFING PUBLIC HEARING MEETING OF JUNE 10th

Chris Leak thanked everyone for enduring the long public meeting on June 10 and for allowing him to move some items to Work Session due to the length of the meeting.

George stated that he submitted a minority opinion to City Council regarding the Entertainment District text amendment, where he encouraged Council to ask more questions of staff about potential conflicts between an entertainment area and schools. He went on to say that schools need to have some control over the environment around them. George also stated that he wanted to see the Entertainment District be as unfettered as possible, so that the totality of entertainment could be accommodated there.

Regarding case W-3479, Melynda stated that she did not understand some of the reasons given by Board members for not taking into consideration the complaints from neighbors regarding the existing fraternity house, which were based on documented code violations, and went on to say she has never seen the Board not take neighbor concerns into consideration.

Clarence stated that he took these comments into consideration, but he also considered the proximity of the property to Wake Forest University. Walter Farabee stated that the proposed use was already allowed, the site already had zoning, and the proposal was a site plan amendment. He went on to say that if this case was a rezoning, the conversation would be different; the Board would be able to take into consideration the neighborhood in that situation. Mo stated that she felt like the comments from the neighbors were driven from a desire to down-zone the property versus maintaining the current zoning. Jason Grubbs reminded everyone that this was not a zoning hearing but a site plan amendment, so the Board was not looking at whether or not the fraternity house use should be there, they were looking at whether the proposed site plan change was in conformity with the ordinance. Jason further stated that he did take the neighbors' concerns into consideration and weighed those against the request and the standards that the Board is supposed to follow in its review.

For clarity, Kirk stated that the Planning Board has the right to consider public input in its decision and this feedback doesn't need to be documented or quantifiable. Chris Leak asked about the possible outcome of this case, should the neighbors go to City Council and express the same concerns as at the Planning Board meeting. Kirk stated that the City Council follows the same public input process as Planning Board, the difference being that rather than making a recommendation on the plan, they have the final vote on the project. He then gave several potential examples of how Council could vote on this case. Jack stated that since one component of City Council is the Public Safety Committee, this information should be provided to them so management of the use can be handled by the appropriate department of City government. Melynda stated that she did not want to give the impression to the public that the Board was not taking their comments into consideration. She further stated that just because this case was a site plan amendment, she did not see the distinction between it and a zoning case regarding public comments. She felt this public input should impact the decision, and that it would be legitimate to take into consideration.

Jason stated that he understood the need to debrief aspects of previous public hearings in order to clarify things but felt that asking Board members to explain why they voted a particular way on items was a slippery slope. Melynda stated that this was not her intent with this question, and she now has a better understanding of why everyone voted the way they did.

V. STAFF REPORT

Election of Chair and Vice Chair will take place in July. There will also be two zoning cases, a text amendment and two subdivisions at the July 8th Planning Board meeting.

There was also a consensus amongst the Board that public meetings and work sessions should go back to an in-person format in August, like City Council. Staff was also asked to research the opportunity for hybrid (virtual and in-person) Board member attendance at meetings due to work travel.

MOTION: Clarence Lambe made the motion that the Board go back to in-person meetings in August, once City Council does.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

VI. FOR THE GOOD OF THE ORDER