

**Planning Commission Work Session**

**March 5, 2019 5:00 - 7:00 p.m.**

**NDS Conference Room**

**Members Present:** Chairman Lisa Green, Commissioners Jody Lahendro, Lyle Solla-Yates, Hosea Mitchell, and Gary Heaton

**Members Absent:** Commissioners Tanea Dowell and Rory Stolzenberg

**Staff Present:** Missy Creasy, Alex Ikefuna, Carrie Rainey, Joey Winter, and Kari Spittler

Chairman Green called the meeting to order at 5:00 pm.

**1. Major Subdivision – 900-1000 1<sup>st</sup> Street (CRHA)**

**Chairman Green:** Reminds the Commission that this is an application for approval of a subdivision and the site plan is not being reviewed at this point. The Standard of Review is a ministerial function. The Commission has no discretion so the only thing that should be reviewed is whether or not the subdivision complies with the requirements of the City's subdivision ordinance. If it is in compliance, it must be approved. If it is denied, the Commission must provide the deficiencies and make reference to the specific code sections and requirements. In addition, an explanation of what modifications or corrections the applicant would need to make in order to be compliant will be necessary.

**Commissioner Mitchell:** Why is the Planning Commission tasked with approving ministerial reviews and why can't it be delegated to staff?

**Ms. Creasy:** State code requires that major subdivisions be reviewed by the Planning Commission. It can be considered a major subdivision for two reasons: the number of lots, which is not a factor in this case, and the extension of public utilities, which this project does have.

**Chairman Green:** Notes that this is not a public hearing, but any comments can be made at the end of the meeting. In the summary, it mentions section 29.3 being reviewed. Is it actually code section 29.2 that we should be reviewing?

**Ms. Rainey:** That is correct.

**Commissioner Heaton:** Are all of them R3s?

**Ms. Rainey:** The main portion on the western side are R3, but there is a segment of R1 across the street. However, the phase 1 development is solely on the R3 property.

**Chairman Green:** Could staff provide a quick rundown of the project and make note of the critical slope waiver that was approved by City Council last night to include any conditions that were outlined?

**Ms. Rainey:** Regarding the plat itself, there will be no creation of new streets, however there are extensions of public utilities into the site, which makes it a major subdivision. They are subdividing the main parcel into two parcels and approximately 3 acres will be the phase 1 development. There are no new parks or school lands being created, however a public pedestrian egress and ingress easement is provided in the subdivision plat to memorialize along the trail and provide a future connection to the bridge if it is built later across Pollocks Branch. The critical slopes were approved by City Council with conditions. It was passed with the conditions that the Commission recommended with one change to item 5, which added that it will pertain to the “approved” site plan since there have been several modifications to it and the Commission saw an earlier draft that was not approved. The site plan is continuing to go through administrative review and typically will not go before the Planning Commission unless called forth by a member or the director. The most recent submission came before staff yesterday and it is close to completion.

**Commissioner Mitchell:** Has public works weighed in on the extension of the utilities?

**Ms. Rainey:** They have and the easements as shown in the plat are acceptable to them. They are just working through some of the smaller details of the actual design, which won’t impact the easements.

**Commissioner Solla-Yates:** Can you explain the process of having 4 applications?

**Ms. Rainey:** The subdivision plat has gone through four rounds of staff review in order to address deficiencies before coming before the Planning Commission.

**Chairman Green:** Where are we with the subdivision right now?

**Ms. Rainey:** The subdivision plat complies with all of the zoning regulations for the R3 zoning district and they have shown the requirements for the R1 single family zoned parcel as well. The water protection standards and the storm water management plan are being addressed through the final site plan, which will need to be approved before the final site plan can be approved along with the erosion and sediment control measures. There are some open space easements on the plat that relate to the storm water management plan, which were acceptable to the engineering department moving forward with the plat. There have been no public comments received so far related to the plat.

**Chairman Green:** Does this plat cover what was discussed at the Planning Commission meeting with regards to egress, pedestrian access and how the building will be constructed? Are all of those things still in place?

**Ms. Rainey:** The plat does show the pedestrian access easement specifically. The sequencing of construction would be shown through the site plan, along with the other conditions placed on the critical slopes waiver.

**Commissioner Solla-Yates:** Can you talk about the parking? 83 spaces seems like a lot of parking.

**Ms. Rainey:** The most recent site plan has a slight modification to the required number of spaces. They are now proposing 62 units, which requires 80 parking spaces based on the bedroom count. They have

83 parking spaces shown, which is slightly more than the minimum requirement, but previously they were required to have 83 spaces based on the bedroom count they had.

**Commissioner Solla-Yates:** Piedmont did a similar project but were given a parking modified zoning amendment to offer more homes and less parking. Why are they being treated differently?

**Ms. Rainey:** They have not requested a modification to that requirement.

**Chairman Green:** Before making comments on the site plan, it is necessary to first make a determination on the subdivision.

**Commissioner Mitchell:** What is the date of the plat we are approving?

**Ms. Rainey:** It is the February 21<sup>st</sup> plat.

**Commissioner Mitchell moves to approve the final subdivision plat dated February 21, 2019 for Tax Map 26 Parcel 115. Seconded by Commissioner Solla-Yates. Motion is approved 5-0.**

**Chairman Green:** What are the next steps for phase 1 of the site plan?

**Ms. Rainey:** The next step for staff is to review the site plan submitted yesterday and get comments to applicant by the end of the week. If there are any remaining comments to be turned around, a resubmission will be sent in fairly quickly in order to meet the March 13 funding application deadline. In addition, staff is working to wrap up the bond estimate amount so they can be posted, as well as items such as the storm water management agreement. This will get signed and recorded prior to site plan approval.

**Chairman Green:** Is it appropriate for the Commission to see the site plan to address any concerns?

**Ms. Creasy:** Yes, that would be fine. The parking concern is tricky because they meet the requirement and there is nothing in the site plan regulations that prevent it.

**Commissioner Mitchell:** Notes that he doesn't want to slow this project down and doesn't see any value in reviewing the site plan.

**Commissioner Lahendro:** In one public comment there was confusion about whether the development would be just for seniors. NDS responded saying that as far as they know, it is for everyone.

**Ms. Creasy:** The gentleman referenced an article or had heard that residents of Crescent Hall would be relocated here, but that wasn't part of the application. Everyone has the opportunity to live there.

**Commissioner Solla-Yates:** City staff proactively produced a zoning amendment to extend the parking modified zone for the Piedmont project to pursue the public good. Why doesn't that apply in this case?

**Mr. Ikefuna:** PHA requested to do that in that instance.

**Ms. Creasy:** This project has been on an accelerated process and fitting something like that in would be time consuming. The applicant is moving forward with a by-right application.

**Mr. Ikefuna:** The applicant was given the opportunity to have more tenants and reduce parking but they didn't want to.

**Ms. Robertson:** PHA and the City had been working on the master plan for that project for several years and as they got further into the design work, they realized in order to provide the streets reflected in the master plan something had to change. They actively requested the City to apply the modified parking zone to the project so they could provide all of the things requested in the master plan. They are two different projects and this one has been put together on an accelerated schedule under by-right ordinances of the City. The applicant has indicated that it was very important to have a by-right application reviewed and approved before their deadline to apply for funding.

**Applicant, Ashley Davies:** Notes that they have been working towards a deadline of next Thursday for two tax credit submissions. Everything it is coming together for the Crescent Hall renovation and the phase 1 work for South 1<sup>st</sup> Street. In terms of the parking, as we move forward with the master planning process after the application is submitted, we will dig in with the residents and the neighborhood on the rest of the site. With any affordable housing, there should be a way to offer a parking modified zone. It would be a nice option and provide flexibility as updates to the zoning district are being considered.

**Chairman Green:** Is it possible that although some of the parking may appear overbuilt, some of it will be used on phase 2 so you wouldn't need as much parking at that point?

**Ms. Davies:** It could be. We want to do parking studies of existing units and see what the use patterns are and extrapolate that across the site. We want to ensure that there is adequate parking but we don't want an over-parked site.

**Emily Dreyfus:** Regarding the senior housing question, the engineers and redevelopment committee have determined that Crescent Halls could be renovated with residents in place. Some residents noted that they wanted to stay in one place, so that is the plan at this point.

**Ms. Davies:** Right now contractors are being interviewed and several of them have experience doing this type of building renovations to ensure it is as painless as possible.

## **2. Public Comment**

None.

**Adjournment: 5:25 pm.**