Planning Commission Minutes

February 15, 2018 City Hall Council Chambers

CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Dimmett.

MEMBERS PRESENT
Chele Dimmett, Jennifer Gilbert-Smith, Jonathan Ingram, David Caudle, and Elizabeth Porter

MEMBERS ABSENT- Paul Max and Murray Williams

STAFF PRESENT
Richard Hart, Community Development Director
Kelly Thompson, Planning Commission Secretary

APPROVAL OF MINUTES AND AGENDA
   C1. Commissioner Porter moved and Commissioner Caudle seconded to approve the December 17, 2017 minutes and meeting agenda for February 15, 2018. Motion carried 5-0.

CITIZEN COMMENTS - None

UNFINISHED BUSINESS - None

PUBLIC HEARING - None

NEW BUSINESS
   1. Discussion of Proposed Zoning Code Amendment to Reduce Setbacks in Mixed Housing and Office (MHO) Zone Along Wax Road

Community Development Director, Richard Hart provided background regarding development challenges along the east side of SE Wax Road due to the current 10’ setback, wide right-of-way dedication, and critical area buffers.

The city consolidated 13 former downtown zones down to 4 zones in 2010 which include the Town Center (TC), Mixed Commercial (MC), General Commercial (GC) and Mixed Housing/Office (MHO). The current zoning on the east side of Wax Road is MHO. The Daniel Ross Salon and the Apex Building were constructed
with the previous 0’ setbacks. Staff has been unable to determine why the change was made from 0’ to 10’ setbacks when the code was updated with the city’s consultant in 2010. It could be considered a detriment to the remaining properties to enforce the 10’ setback as they redevelop. The Public Works Department has no objection to changing the setback back to 0’, as the ultimate design of a widened Wax Road has not been determined.

Commissioner Ingram asked about specific uses allowed in the MHO zone. Mr. Hart responded that we are focusing on just the setback issue.

Commissioner Caudle asked whether the amendment would apply to the west side of Wax Road. Mr. Hart responded that it would not. The reason is that they do not have critical areas or buffers that significantly reduce the buildable land area.

Commissioner Gilbert-Smith questioned the visual aesthetic by having the setback different on either side of Wax Road and requested visual aids be provided prior to the next Planning Commission discussion. Chair Dimmett would also like to see visual aids. Chair Dimmett also asked about the types of housing in the MHO zone. She does not like the idea of residential being right up against the street and asked about the viability of developing that area with a 5’ setback.

Mr. Hart responded that during the public hearing, the property owner(s) can provide feedback regarding the viability of development with a 5’ setback. Staff decided the 10’ setback is enough of an issue to propose the code amendment. The developer could also request the change to the setbacks as a code amendment and pay the fee to process the request.

Commissioner Caudle says there is a precedent set by Daniel Ross and Apex with a 0’ setback. Mr. Hart responded that the MHO zone is a unique type of zone and not that common among the suburban downtowns. The city’s consultant created this hybrid zone that includes both housing and office uses. When the setback changed from 0’ to 10’, staff did not realize the extent of the wetlands at the rear of the properties on the east side of Wax Road. The wetland studies show that the wetlands are more extensive than originally realized.

Commissioner Porter asked about the future development and widening of SE Wax Rd. Mr. Hart responded that SE Wax Road will be expanded to 4 lanes with a center median, curb, gutter, sidewalk, and landscaping.

Commissioner Gilbert-Smith asked about the width of the sidewalk and asked for visual examples. Mr. Hart responded that staff will work on providing examples of 0’ setbacks adjacent to 4 story buildings. Mr. Hart added that the reconstruction and widening of SE Wax Road is at least 8 to 10 years away. The
current properties contain older single-family homes. Staff has received requests from property owners wanting to convert some of these homes to offices, which is cost prohibitive. When a property is developed, parking, public improvements, and storm drainage facilities must be provided. The concern of a current developer, is that the buildable area of their property is too small to develop with the current setback requirements and required right-of-way dedication.

Commissioner Caudle confirmed that this topic is for discussion. Mr. Hart responded that staff will bring the topic back for discussion at the second Planning Commission meeting in March. He anticipates that the public hearing will be held in April. Following the public hearing, the Planning Commission will make their recommendation to the city council.

ATTENDANCE VOTE
➢ Commissioner Gilbert-Smith moved and Commissioner Ingram seconded to excuse the absence of Commissioner Murray and Commissioner Max. Motion carried 5-0.

PUBLIC COMMENTS - None

COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS
Mr. Hart reminded the Planning Commission that a report is needed at the City Council meeting on February 27, 2018. Commissioner Porter agreed to give the report.

Mr. Hart also presented Chair Dimmett with her plaque for Commissioner of the Year.

Chick-Fil-A is planning to open mid-March. The Multicare hospital also anticipates being operational in March. Staff received an amended Commercial Site Development application for an assisted living and memory care facility on SE Wax Road. There has also been interest in the Jones property north of the hospital for another senior/assisted living housing development.

ADJOURN
The February 15, 2018 Planning Commission Meeting adjourned at 7:25 p.m.

Respectfully submitted,

[Signature]
Kelly Thompson, Planning Commission Secretary