

Town Council Working List of Discussion Items

Topic	Sponsor	Date Added to List	1 st Discussion	2 nd Discussion	3 rd Discussion	4 th Discussion
Setbacks and Building Heights in Mixed Use Districts	Lyons	28 JUN 11	25 OCT 11	22 NOV 11		
<p>Council Member Lyons desires for Town Council to discuss building setbacks and building heights in mixed use districts for she feels that the buildings being built near NC54 are too close to the roadway. (25 OCT 11) Staff provided a presentation to start discussion. <i>Council Member Diehl</i> stated that when the Park West Village project was approved, the buildings could have been further from the road. There were lower elevations for the buildings and no landscaping. The drop from the road to the buildings was a problem. That was not disclosed in the blueprints of the plans and made the project unattractive. <i>Mr. Hitchings</i> stated that it should be noted that the trees that were planted would not have vegetation this time of year. <i>Council Member Diehl</i> stated that in the future Council could pay more attention to setbacks and other similar matters or some minimum standards could be set. <i>Council Member Lyons</i> stated that she was not happy with the Park West Village matter and this item should be brought back to Council. There needed to be another turn lane in front of those buildings that were so close to the road. <i>Mr. Whitson</i> noted that there was a large stretch of grass and that was actually dedicated right of way for a future lane. <i>Mayor Pro-Tem Martin</i> noted that pedestrians crossing the road had no median or middle ground to stop at to gauge traffic and asked if there was no minimum building height. <i>Mr. Hitchings</i> stated that the Mixed Use Ordinance did not establish a minimum height. Instead the applicant proposed buildings of particular height and the Council decided if they were acceptable or not. <i>Mayor Pro-Tem Martin</i> stated that the Council could deny the height. <i>Mr. Hitchings</i> concurred. <i>Mayor Pro-Tem Martin</i> asked about the height at Park West in comparison with Davis Corners or other shopping centers. <i>Mr. Hitchings</i> stated that staff would get that information. <i>Mayor Holcombe</i> noted that if a minimum height was set and the applicant met that requirement. Whether the Council liked the proposal or not, it would have to be approved if all minimum requirements were met. <i>Mr. Whitson</i> noted that the more requirements there were, the less flexibility there was. There was a spectrum and flexibility with approval was either gained or lost. <i>Mayor Pro-Tem Martin</i> asked if there was a risk of law suit if Council denied a MU project. <i>Mr. Hitchings</i> stated it would be structured as a conditional rezoning and that provided more broad discretion to the Council. With MU projects, the Council was able to see a site plan proposal that included all potential uses in the site. <i>Council Member Lyons</i> stated that the 3D tour of Park West showed the interior of the project, but there was not much focus on the street view. <i>Council Member Johnson</i> stated that it seemed the Council was at a disadvantage in some cases with pictures. This was looking at an unfinished product in Park West. There should be a completed project up and running before having this discussion. There were still silt fences and no landscaping. Flexibility was very important to Council and allowed more individual input on proposals. That should not be lost or there could be some really good projects eliminated. There was a lot of discussion during the Park West review regarding buildings being close to the road, and the benefit was that it avoided the view of a sea of parking, which was not appealing. <i>Council Member Broadwell</i> stated that MU flexibility was important, but a minimum of standards would be helpful. Having no minimum setbacks was not the best situation. Regarding Park West, there should be fencing along the drop off near the buildings along NC 54. <i>Mr. Hitchings</i> stated that staff would check with the developer to see if it could be included near the intersection. <i>Council Member Broadwell</i> stated that she was concerned about folks in the shopping center at the bottom of that drop off that could not see the road. They could be hit by a car. <i>Mr. Hitchings</i> stated with the median it was less likely to have a cross directional collision and it would be a very unusual traffic movement that would cause a vehicle to go off the road with this configuration where there was a larger grassy area. The sidewalks in front of the apartments right down the road had less separation from the road. <i>Council Member Broadwell</i> stated that someone on the sidewalk could see a situation and move, but those below grade would have no clue about the traffic above. <i>Mr. Hitchings</i> stated that a request to NCDOT could be made to see if a guard rail was appropriate at this location. <i>Council Member Broadwell</i> stated that some sort of fencing would be best. <i>Mayor Holcombe</i> stated that it seemed that there were some safety concerns. Several examples should be shown of different situations to see if there were similarities. <i>Mr. Hitchings</i> stated that staff would bring back some other views and discuss the safety concerns for Park West with NCDOT. <i>Council Member Diehl</i> asked about Council being aware that the buildings were below grade when Park West was reviewed. <i>Mr. Hitchings</i> stated that the information was there. <i>Council Member Diehl</i> stated that when projects were submitted in the future, Council should be aware of this potential situation. <i>Mayor Holcombe</i> stated that she remembers staff speaking about this. It was one of the points used to identify how this project would look very different than a big box store with the different grade. <i>Council Member Lyons</i> asked staff to send the virtual tour of Park West the Council saw when it was reviewed. <i>Mayor Holcombe</i> stated that <u>this item would come back for further discussion with the items noted and there would not be a briefing item created yet.</u></p>						
Fire Inspection Fees for Condominiums	Holcombe	20 SEP 11	22 NOV 11			

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