



City of Durham
PLANNING COMMISSION MINUTES
September 9, 2025

A. CALL TO ORDER.

Chair Susan Deeming called the meeting to order at 7:02 PM.

B. ROLL CALL.

Commissioners Present: Chair Susan Deeming, Vice Chair Matt Winkler, Commissioners Krista Bailey and Cheri Frazell.

Commissioners Absent: Commissioners Forrest Boleyn, Pat Saab, and Andrew Mast

Staff Present: City Administrator Jordan Parente and Administrative Assistant Wyatt Bean

Public: None

C. APPROVAL OF MEETING MINUTES.

The Commissioners reviewed the minutes from the July 8, 2025, Planning Commission meeting. Chair Deeming asked if there were any additions or corrections. None were noted. Commissioner Bailey moved to approve the minutes as written. Commissioner Frazell seconded. The vote passed unanimously (4-0).

MO 090925-1

D. PUBLIC FORUM.

No members of the public were present. No comments were offered.

E. SIGN PERMIT BRIGHT STAR KIDS 18115 SW LOWER BOONES FERRY ROAD

The Commissioners reviewed an application submitted by Bright Star Kids for a new wall-mounted sign on the building located at 18115 SW Lower Boones Ferry Road. No representative from the applicant was present; however, application materials and an example of the sign material was provided for review.

Chair Deeming stated that, upon site inspection, it appeared the proposed sign would essentially replace the existing sign, though with a white background instead of the current gray. She noted this seemed unusual given the building's exterior color of gray but acknowledged the Commission does not regulate color choices. Chair Deeming also observed that a monument-style sign with the previous business name, Learning Tree School, also remained in front of the property. She questioned whether the applicant intended to remove it, as the name is no longer applicable.

Commissioner Bailey asked City Administrator Parente whether removal of the monument sign would require a separate permit. Mr. Parente explained that the code allows both monument and wall-mounted signs and that separate applications would be necessary if the applicant intended to replace or modify the monument sign. He noted that the existing monument sign does not have a current permit record. Commissioners discussed whether the approval of the sign permit at hand could be conditioned on removal of the monument sign but ultimately agreed that it was not their role to compel action unless the sign was clearly noncompliant or unsafe.

Discussion also addressed the proposed sign materials. Mr. Parente clarified that the sign would be constructed of aluminum composite material (ACM) with a laminated vinyl overlay. The applicant had already agreed to reduce the size of the new sign to comply with the maximum 30-square-foot code requirement.

After discussion, Vice Chair Winkler moved to approve Sign Permit #477-25 as submitted, with a non-binding request for clarification on the applicant's plans for the existing monument sign. Commissioner Bailey seconded. The vote passed unanimously (4-0).

MO 090925-2



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Chair Deeming raised a separate concern regarding the long-pending Durham Dental sign replacement, noting it has been nearly two years without action. Mr. Parente explained that the most recent permit, approved in April, was valid through October 2025. He stated the business owner had delayed work due to difficulties sourcing matching bricks but had assured him the project would be completed before the permit expired. Mr. Parente committed to following up.

F. DURHAM DEVELOPMENT CODE WORK SESSION

The Commission continued its work session reviewing the proposed amendments to the City's Development Code relating to tree preservation requirements for new development. Chair Deeming opened discussion by noting that while revisions addressed some concerns raised in May, particularly around perimeter-only tree preservation, other issues appeared unresolved, such as broader aesthetic and ecological impacts of tree removal on wind exposure and stormwater runoff.

Commissioner Bailey said that it would have been helpful to receive a redlined copy of the revisions for comparison. She further stated that uncertainty about what revisions had been made remained without side-by-side review of old versus new provisions.

City Administrator Parente explained that the revisions represented a significant departure from the existing ordinance, shifting tree regulation into the Development Code and tying tree preservation directly to land use approvals. He highlighted new provisions requiring that at least 20% of healthy trees and 40% of existing canopy be preserved, and that preserved trees be dispersed across 50% of the property. He also noted a proposed mechanism for minor modifications, allowing administrative approval for cumulative tree removals up to 24 inches in diameter, intended to provide flexibility without requiring full land use review.

Commissioners discussed whether the terms "lot" and "site" were being used consistently and recommended clarifying definitions to avoid confusion when reviewing subdivision versus single-lot development. They also discussed how "dispersed" should be interpreted in practice, and whether mitigation requirements were sufficient to ensure trees are preserved across all lots rather than concentrated in one area.

The Commissioners discussed the definition and role of "groves" within the revised code, noting that while groves are described as providing ecological functions such as shade, wind protection, and wildlife habitat, the current draft considered "groves" in relation to mitigation and not tree protection. They agreed it may be beneficial to reference groves elsewhere in the code, such as in the purpose or tree protection sections, to emphasize their importance and preferred preservation.

Commissioner Frazell raised a concern about language in Section 5.6.1.5 regarding root cutting, noting that it only required applicants to notify the City if root pruning was likely to result in tree death, without further consequence. She recommended stronger language treating such actions as tree removal subject to replacement requirements.

The Commissioners agreed to forward their comments to the City attorney for clarification and potential implementation prior to the scheduled public hearing in October. Mr. Parente confirmed that the draft ordinance had been noticed to DLCD and would be posted publicly prior to the hearing. He emphasized that the Commission's October meeting would include a public hearing to take testimony, after which the Commission would either consider a recommendation to Council or implement any pertinent changes suggested by the public and hold another hearing in November.



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G. COMMISSIONER COMMENTS / REPORTS / STAFF UPDATES

Mr. Parente informed the Commission of several upcoming events and updates:

- **Metro Mixer:** A Metro-hosted networking event for regional elected officials and staff will be held at the Bay Club on September 18 from 4:00–6:00 PM. Mr. Parente noted that Metro has been trying to boost relations with cities in the region, and that he had passed along the invite to Washington County leadership, specifically on the bureaucratic side. Commissioners are invited to attend as well.
- **Metro Trails Easement:** Metro is moving forward with acquisition of a trail easement through Durham Heights, intended to provide a future connection to Durham Park. While funding for construction has not been identified, Mr. Parente noted the action aligns with community goals for improved trail networks. No immediate action is required from the City.
- **Rivian EV Chargers:** Rivian's previously approved EV charging station project continues to raise issues with parcel consolidation requirements dating back to original approvals and the site currently existing across two lots. The applicant may either consolidate the lots or shift the project design to avoid conflicts.
- **Code Enforcement:** A patio cover recently constructed without permits on Upper Boones Ferry Road was identified as a violation of both zoning and building codes. Mr. Parente stated that enforcement action will be pursued, as the structure encroaches on setbacks and may affect structural safety.
- **Development Updates:** Durham Heights is nearly built out, with only a few lots remaining. Durham Estates has submitted their building permit applications for a townhouse development, marking one of the region's first middle-housing projects under new state law. However, Durham Estates' land use application is also in the process of being approved, so the processing of their building permit applications may need to wait for this approval. Southwest Ellman Lane's three-lot partition is also nearing final recording following completion of roadway improvements.

H. NEXT REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION.

- Tuesday, October 7, 2025, Regular Meeting of the Planning Commission at 7:00 PM.

I. ADJOURN. Chair Deeming adjourned the meeting at 8:31 PM.

Approved:

Susan Deeming, Chair

Attest:

Jordan Parente, City Administrator/Recorder