



# The Town of Knightdale Staff Report

Date: August 17, 2016

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To: Mayor and Town Council

From: Jennifer Currin, Asst.  
Development Services Director

Subject: ZMA-7-16, Suggs/Hargrove's  
Knightdale Blvd. Property

Development Services Director  
Signature – CAH

Town Manager Signature –

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**REPORT:** See attached

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## **REPORT RECOMMENDED ACTION**

Approve ZMA-7-16, Suggs/Hargrove Knightdale Blvd. Property, adopt the recommended statement of Comprehensive Plan consistency and reasonableness of action, and adopt ORD# 16-08-17-002

**PETITION FOR: CONDITIONAL DISTRICT – ZMA-7-16**

Suggs/Hargrove's Knightdale Blvd. Property

**REPORT TO THE TOWN COUNCIL**

Public Hearing: July 20, 2016

LURB Meeting: August 8, 2016

Town Council Meeting: August 17, 2016

Prepared by the Knightdale Development Services Department

**I. REQUEST**

Application requesting a Zoning Map Amendment to rezone a 56.83 ± acre parcel located south of Knightdale Blvd., and east and west of Village Park Dr. and identified as Wake County PIN 1744.04-84-3240, from Highway Business Conditional District (HBCD) and Urban Residential-12 (UR-12) to Highway Business Conditional District (HBCD) and Residential Mixed Use Conditional District (RMXCD) in order to develop the property as a 260,000± SF shopping center and 350 unit multi-family development. The Unified Development Ordinance (UDO) requires a Conditional District rezoning approval for a community shopping center. The applicant voluntarily submitted a conditional district rezoning for the multi-family development. The applicant has requested a few exceptions to the UDO, which have been provided below. Per UDO Section 15.6(C)(4)(a)(ii), when a conditional district is a requirement, petitioners may ask that certain standards identified be decreased. The property owners are identified as Jane Suggs and Norwood and Nancy Hargrove Properties, LP, the applicant and developer are identified as Knightdale Development Ownership, LLC.

In addition to the master plan submitted, the applicant proposes the following exceptions to the UDO:

1. Ability to locate the front of Building K-G more than 90 from the right-of-way per UDO Section 2.11.
2. Ability to locate rear of commercial buildings closer to internal rear property than 50' when adjacent to RMX. UDO Section 2.11
3. Flag lots shall meet the minimum width at least 400' from the ROW.
4. Provision to permit a wooden privacy fence along the eastern property line in the buffer yard. UDO Section 4.8 does not permit wooden fences for commercial and multi-family projects.
5. Ability to provide long, monotonous, uninterrupted horizontal roof planes of 50' or more. UDO Section 5.11(C)(5).
6. If a movie theater is proposed, ability to provide long, monotonous, uninterrupted horizontal roof planes of 50' or more and ability to provide less than 40% transparency on primary facades and facades with pedestrian entrances. UDO Sections 5.11(C)(2)(a) and 5.11(C)(5).
7. For areas used for kitchens, storage, restrooms, utility, or similar service areas, spandrel glass may be used in place of clear glass.

8. Removal of the 50' Type C buffer internal to the site between the HB and RMX zoning districts required per UDO Chapter 8.
9. Provide 1 canopy tree at the end of each parking island. UDO Section 8.8(C)
10. Dedication of less than the required bicycle parking spaces per UDO Section 10.3(C).
11. Elimination of Park & Ride parking spaces per UDO Section 10.3(B).
12. Parking areas will be provided in pods not to exceed 50 parking spaces.
13. Locate parking in the front yard of a lot/in front of the building's primary facade. UDO Chapter 10 does not allow parking in front of the parking.
14. Any movie theater within the development may include neon signs in excess of the limitations of Sections 12.3(D) and 12.4(K) as approved by Town staff.
15. Permission to allow 1 off-site monument signs up to 17.5' in height and 175 sq. ft. in area per side along Knightdale Blvd.

## **II. PROJECT PROFILE**

PROPERTY LOCATION:	South of Knightdale Blvd./East and West of Village Park Dr.
WAKE COUNTY PIN:	1744.04-84-3240
EXISTING ZONING DISTRICT:	Highway Business Conditional District (HBCD) & Urban Residential-12 (UR-12)
PROPOSED ZONING DISTRICTS:	Highway Business Conditional District (HBCD) & Residential Mixed Use Conditional District (RMXCD)
CROSS REFERENCE FILES:	ZMA-7-16 & CPA-1-16
APPLICANT:	Knightdale Development Ownership, LLC 5786 Widewaters Pkwy., PO Box 3 DeWitt, NY 13214
PROPERTY OWNER:	Jane Suggs & Norwood & Nancy Hargrove Properties LP 1507 Trailwood Dr. Raleigh, NC 27606
PROPERTY SIZE:	56.83± Acres
CURRENT LAND USE:	Vacant/Undeveloped

PROPOSED LAND USE:	Shopping Center-Community Center [2.3(C)(4)(j)] & Dwelling-Multifamily more than 4 units/bldg. [2.3(C)(1)(d)]
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**III. CONDITIONAL DISTRICTS**

The proposed site of the shopping center development is currently zoned Highway Business Conditional District (HBCD) and community shopping centers are permitted in the HB zoning district if a conditional district rezoning is approved by Town Council.

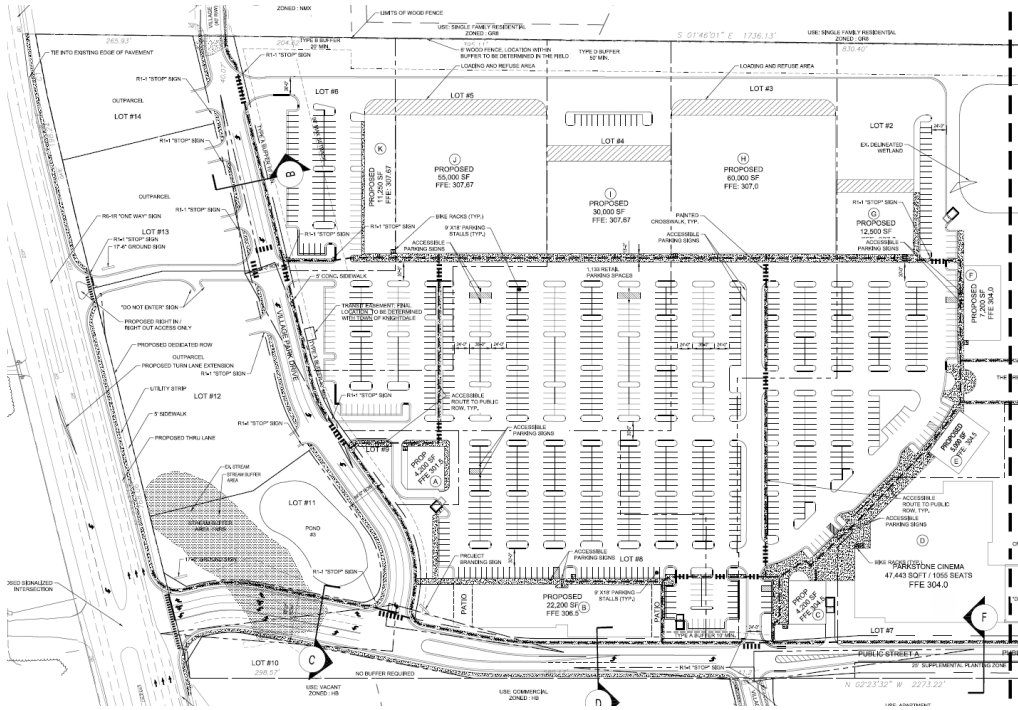
The Conditional District (ZMA-CD) re-zoning process provides a procedure for the re-zoning of property based upon the recognition that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions. This process affords a degree of certainty in land use decisions not possible when re-zoning to a general category allowing many different uses.

All standards and requirements of the corresponding General District shall be met, except to the extent that the conditions imposed are more restrictive than those standards. However, when a Conditional District is a requirement of Section 2.3(C), petitioners may also ask that certain standards identified be decreased. Within an approved Conditional District, no use shall be permitted except pursuant to the conditions imposed on the Conditional District in the approval of the re-zoning.

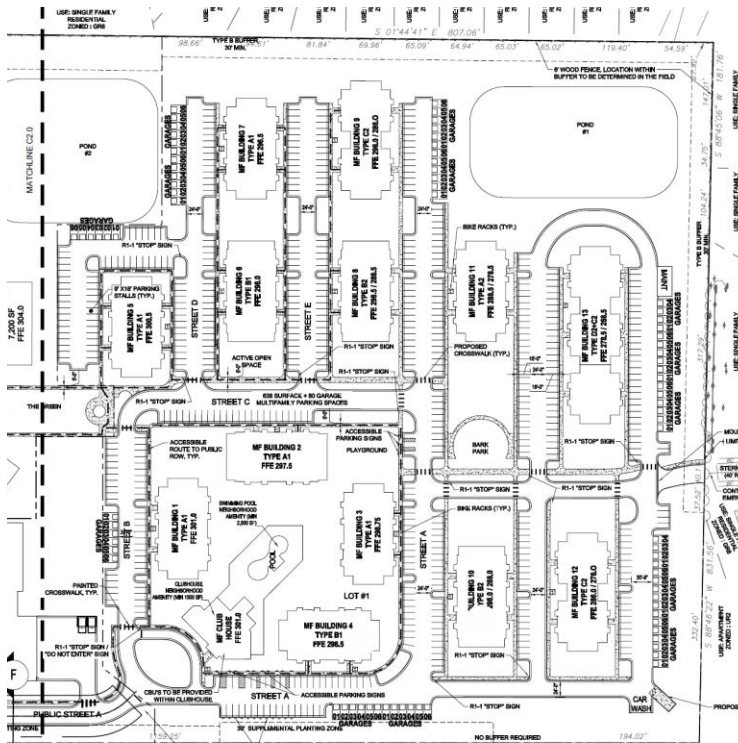
The Master Plan, as a site specific Conditional Zoning Plan, is itself a condition of the ZMA-CD. In addition to the Master Plan, the applicant shall provide the exact land use classifications proposed for the Conditional District. Such use classifications may be selected from any of the uses, whether permitted by right or special use, allowed in the General District upon which the Conditional District is based. Uses not otherwise permitted within the General District shall not be permitted within the Conditional District.

At the request of the applicant, the LURB may recommend and the Town Council may attach reasonable and appropriate conditions including but not limited to the location, nature, hours of operation and extent of the proposed use. The applicant will have a reasonable opportunity to consider and agree to any additional requirements proposed by either the LURB or the Town Council prior to final action.

**IV. PROPOSED MASTER PLAN** (see back page for larger view)  
**Community Shopping Center:**

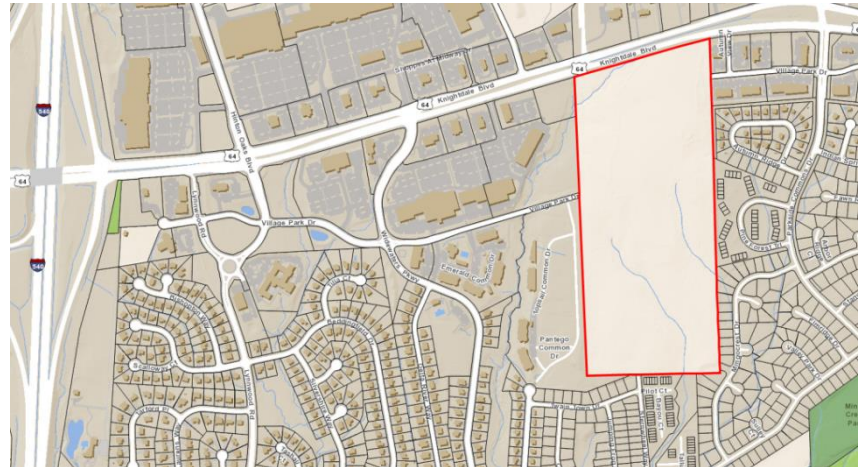


**Multifamily Component:**



**V. LOCATION AND CONNECTIVITY**

The property is located south of Knightdale Blvd., and east and west of Village Park Dr. The western property line is shared with the Widewaters Shopping Center and the Greystone Apartments. The south is bordered by the Widewaters subdivision and the eastern property line is shared by the Timber Ridge, Parkside and Autumn Ridge subdivision and the Parkside Commercial subdivision. Knightdale Blvd. will have to be improved along the property frontage to 1/2 of the boulevard section, which calls for a 6-lane divided section. A draft traffic impact analysis (TIA) was submitted for review and has been reviewed by NCDOT.



**VI. PROJECT SETTING – SURROUNDING ZONING DISTRICTS AND LAND USES**



DIRECTION	LAND USE	ZONING
North	Knightdale Blvd.	HB
South	Residential	UR-12 & GR-8
East	Residential & Commercial	NMX & GR-8
West	Commercial & Multifamily	HB & UR-12

**VII. ZONING**

**A. LOT LAYOUT/SETBACKS/HEIGHT/IMPERVIOUS COVERAGE**

Setbacks for the HB and RMX zoning districts are outlined in Sections 2.2, 2.8 and 2.11 of the Unified Development Ordinance. The standards are listed in the table below:

a. Lot Standards	Required-HB	Actual	Required-RMX	Actual
Lot Width at Right-of-Way	150 ft	150'	N/A	54'

<b>b. Principal Structure Standards</b>				
Front Setback from Right-of-Way (Minimum)	10 ft	10'	0 ft	N/A
Front Setback from Right-of-Way (Maximum)	90 ft	150'	25'	100'
Side Setback (Minimum)	0 ft or 6' if no partwall condition exists; 50' from RR, GR, UR and RMX zoning districts	75'	10 ft. between buildings	35'
Rear Setback from Property Line	10 ft; 50' from RMX	0'	N/A	80'
Rear Setback from Alley/Rear Lane Centerline (c)(Minimum)	15'	N/A	15 ft	N/A
Height (Maximum)	5 stories	1 story	3 stories	3 stories

**B. OFF STREET PARKING**

The UDO states that the maximum parking for Community Center Shopping Centers is 4.5 parking spaces per ksf GLA; therefore, the maximum parking permitted is 1,237 parking spaces and the minimum parking to be provided would be 619 spaces. The minimum parking required for the multi-family development is 1 parking space per bedroom up to 2 per unit. The applicant has proposed 1,142 parking spaces for the shopping center and 722 parking spaces in the multifamily development. The applicant has only proposed to provide 40 bicycle parking spaces, instead of the 100 bicycle parking spaces required per Chapter 10. The applicant has also requested not to provide the park and ride designated parking spaces required per Chapter 10.

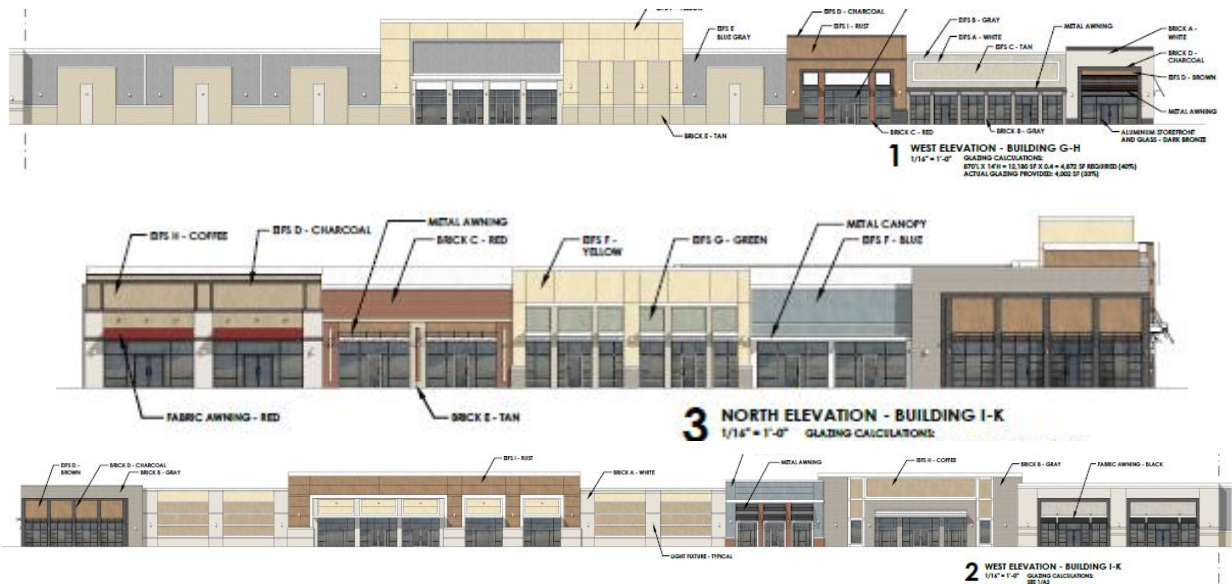
**C. UNITY OF DEVELOPMENT**

Unity of development is not required.

**D. BUILDING DESIGN**

Shopping Center:

There are 7 buildings proposed on-site ranging in size from 4,200 sq. ft. to 168,750 sq. ft. All structures are 1 story in height, but have architectural elements, such as parapets and columns to provide the appearance of a taller building. Multiple building materials are proposed, including brick and EIFS to provide building articulation. Both fabric and metal awnings have been proposed to provide variety.



**Multifamily:**

13 3-story buildings have been proposed on-site with a clubhouse as the focal point at the entrance. In areas where grades change significantly, buildings will be constructed with 3 and 4 story splits. The roof pitches are 6:12 and a combination of stone and siding are proposed as exterior building materials. The colors proposed are complimentary to the adjacent shopping center.



**6 FRONT ELEVATION - TYPICAL 28 UNIT APARTMENT BUILDING -3 BR**  
1/16" = 1'-0"

**E. LANDSCAPING**

Per Chapter 8, the landscape ordinance requires certain landscape standards to be met. A 20' Type B buffer is required between the HB and NMZ zoning districts; a 50' Type C buffer is required between the HB and GR-8 zoning districts; a 20' Type B buffer is required between the RMX and GR-8 zoning districts. The developer has proposed to also provide a wooden fence within the 50' Type C buffer to assist in screening the shopping center from the adjacent neighborhood. The applicant has requested not to provide the 50' Type C buffer internal to the site between the HB and RMX zoning districts required by the UDO. Per UDO Chapter 8, a 10' Type A screening is required to



screen all parking lot/vehicular accommodation areas. Interior parking lot landscaping is also required to provide shade to the parking spaces and all above ground mechanical equipment have to be screened in accordance with Chapter 8.

**F. REFUSE DISPOSAL**

There are several on-site trash enclosures proposed that will have to be screened by brick screen walls and gates. The brick shall match the brick principal building materials. The trash enclosure will also have to be screened with landscaping in accordance with UDO Section 8.7.

**G. LIGHTING**

The applicant is proposing street lighting and parking lot lighting; all lighting will have to comply with UDO Chapter 11.

**H. SIGN PERMIT**

The applicant has not yet submitted a sign permit application. Any new signage will be required to comply with Chapter 12 of the UDO.

**I. HVAC SCREENING**

The applicant has indicated that the mechanical equipment in the shopping center will be located on the building roof. Staff has made the applicant aware of the rooftop equipment screening requirements and the applicant will have to comply with the requirements in UDO Chapter 5. In the multifamily development, the HVAC equipment will have to be screened with landscaping in accordance with UDO Section 8.7.

**VI. INFRASTRUCTURE**

**A. VEHICULAR CIRCULATION/STREET IMPROVEMENTS/PEDESTRIAN CIRCULATION**

The property frontage along Knightdale Blvd. will be improved to ½ of the boulevard section, which calls for 6-lanes median divided. The applicant will have to dedicate ROW, provide an additional lane, curb and gutter, sidewalk and street trees.

The draft TIA has identified that several improvements need to occur for the project to meet the UDO required level of services at build out. The developer is coordinating with NCDOT on the review of the TIA to ensure concurrence with their recommended improvements. At this time, the developer is proposing to make the following improvements:

- Construct an EB right-turn lane on Knightdale Blvd. with approx. 100' of storage and appropriate tapers
- Extend the storage of the WB left-turn lane on Knightdale Blvd. by approx. 175' to provide 300' of storage
- Install a traffic signal
- Restripe EB Knightdale Blvd. from site drive to Smithfield Rd. for a 3<sup>rd</sup> through lane. Signal timing will be required with this restriping.

**B. PUBLIC UTILITIES/WATER ALLOCATION POLICY**

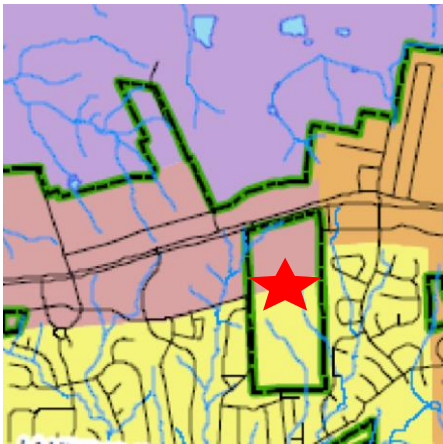
The applicant is proposing to connect to public water and sewer. They anticipate meeting the Water Allocation Policy by providing a mixture of use development and including a clubhouse less than 4,000 sq. ft. with full kitchen.

**C. STORMWATER MANAGEMENT**

The applicant is proposing to construct 3 BMPs (wet ponds) between the multifamily and shopping center sits. The development will conform to all of the Town’s NPDES Phase II Permit requirements, including attenuating the one year, 24-hour storm and removing 85% of the total suspended solids. The design of the stormwater management system will ensure that post-construction run-off is equal to or less than the post-construction runoff from the site.

**VII. COMPREHENSIVE PLAN**

During the drafting of the 2027 Comprehensive Plan, it was determined that a different type of map would be more useful and user friendly. This led to the concept of “Design Districts” in which land uses are determined by the zoning map while the design districts define how the structures and site should be arranged and projected through a series of design guidelines.

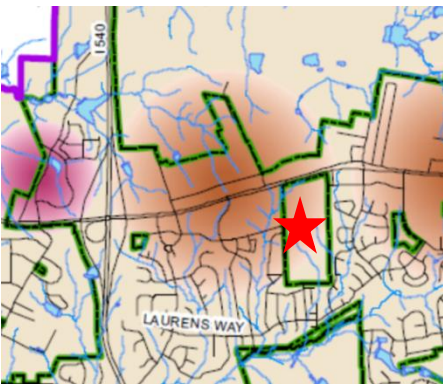


**Legend**

- Streets
- Urban Service Area Boundary
- Surface Waters
- Surface Streams
- Knightdale Corporate Limits (2009)

**Design Districts**

- Countryside Design
- Neighborhood Design
- Urban Village Design
- Highway Design
- Special Use Design



**Legend**

- Streets
- Urban Service Area Boundary
- Surface Waters
- Surface Streams
- Knightdale Corporate Limits (2009)
- Secondary Activity Center (1/4 Mile Radius)
- Primary Activity Center (1/2 Mile Radius)

The Comprehensive Plan identifies the subject area as being within the Highway Design District and Neighborhood Design District and within the periphery of a primary activity center. The proposed community shopping center and multifamily development is within walking distance Mingo Creek Park and Mingo Creek greenway. .

The comprehensive plan may find that this rezoning has the opportunity to indirectly further some of the plan's design objectives, including:

- OA-6. Concentrations of civic, institution, and commercial activity should be embedded as integral components of neighborhoods and design districts; and
- OA-11. Pedestrian travel should be comprehensively planned to accommodate substantial on-site pedestrian activities as well as movement within and through the site; and
- NH-13. Civic, institutional, and commercial activity should be concentrated in Neighborhood Villages that are within walking distance of most residences within the Neighborhood Design District; and
- NH-15. All Neighborhood Villages should contain mixed uses (horizontally or vertically) including, but not limited to, single family and multi-family dwellings, office buildings, retail storefronts, live-work units, and multi-story housing with ground level retail/office uses; and
- NH-16. A central component of any Neighborhood Village is the provision of a square, plaza or other open space that promotes community interaction and enhances the aesthetic value of the surrounding neighborhoods; and
- HW-2. All facades of a building that are visible from streets and public parking areas should contribute to the aesthetics of the district and reflect a human scale and characteristics similar to the façade containing primary customer entrance; and
- HW-3. Facades that are visible from public streets and public parking areas should incorporate recesses and projections and other articulations such as windows, awnings and arcades in order to avoid having an uninterrupted length along the façade in excess of 20 horizontal feet; and
- HW-9. Ground mounted mechanical equipment should be located in the rear or side yard and screened from off-site view, while roof-mounted mechanical equipment should be screened from off-site view (particularly from adjacent streets and other public areas) by a parapet wall or similar architectural feature; and
- HW-10. Loading and service delivery areas should be located in the rear or side yard away from the street frontage.

The comprehensive plan may find that this rezoning is inconsistent with some of the Design District guidelines, including:

- NH-8. On-street parking should be an integral component of parking plans within any Neighborhood Village; and
- HW-6. Off-street parking areas within the district should be located in the side or rear yard.
- HW-7. Where feasible, on-street parking should be incorporated as an element into overall parking plans, particularly where smaller retail stores exist.

### **VIII. PUBLIC HEARING SUMMARY**

Several residents from the surrounding community spoke during the public hearing voicing concerns they had with the proposed project, which include buffering between projects, potential noise generated from the development, impacts to property values, stormwater runoff, traffic and potential trespassing. One resident spoke in favor of the project stating that they would like to see entertainment opportunities developed in Knightdale, such as a movie theater, which would eliminate their need to drive to other towns. Mr. Oxholm, representing Wake Stone Corp., stated that they did not want to be burdened with any widening costs to their driveway that may occur since the intersection was proposed to be signalized. Mr. Lacy Reeves, representing Greystone Apartments, indicated that they met with the developers and hoped that they could resolve their issues; however, if no resolution could be found, he would be in contact with Council to voice specific concerns. Mr. Robert Gage, majority owner of Greystone Apartments, echoed Mr. Reeves' comments. Mr. Mike King, representing the developer, addressed the history of the project and noted that they had met with Greystone Apartments to understand their concerns and work toward a resolution.

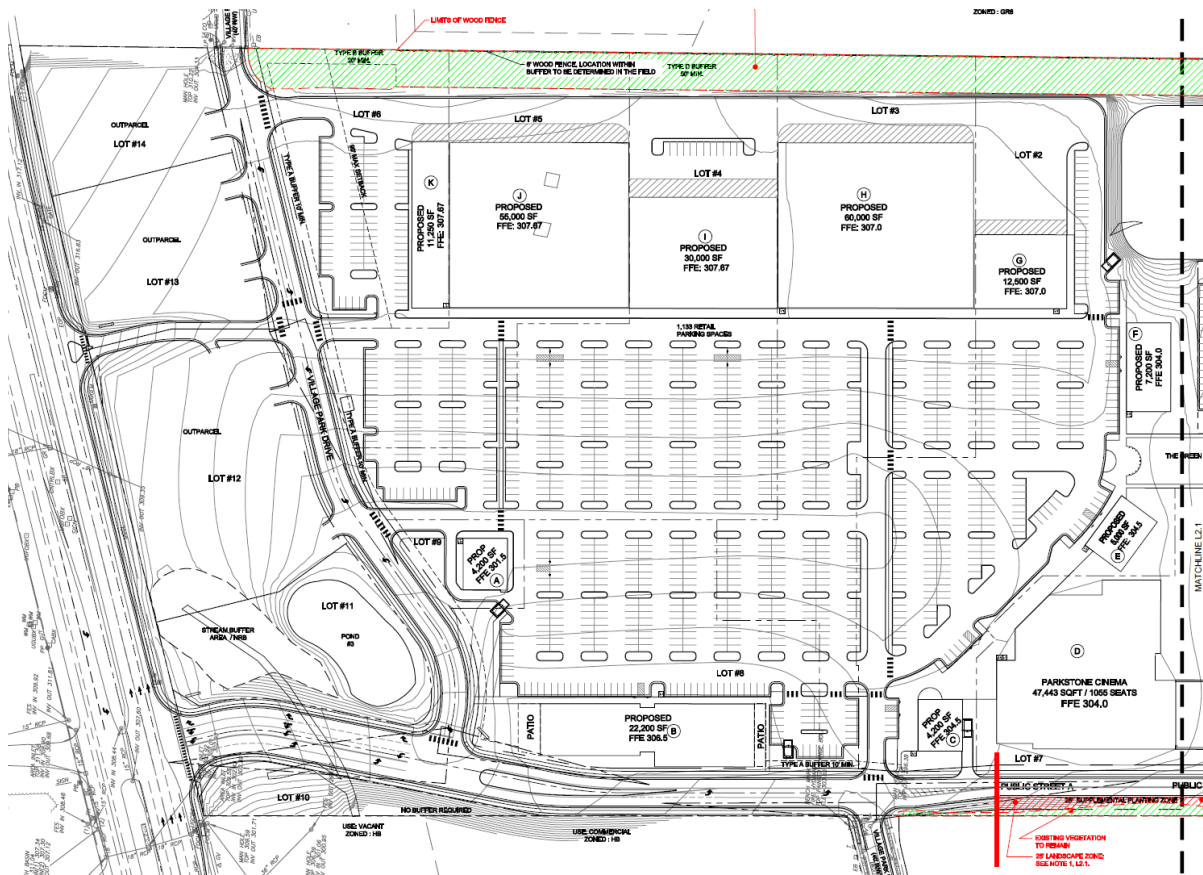
### **IX. CHANGES TO THE PLAN FOLLOWING THE PUBLIC HEARING**

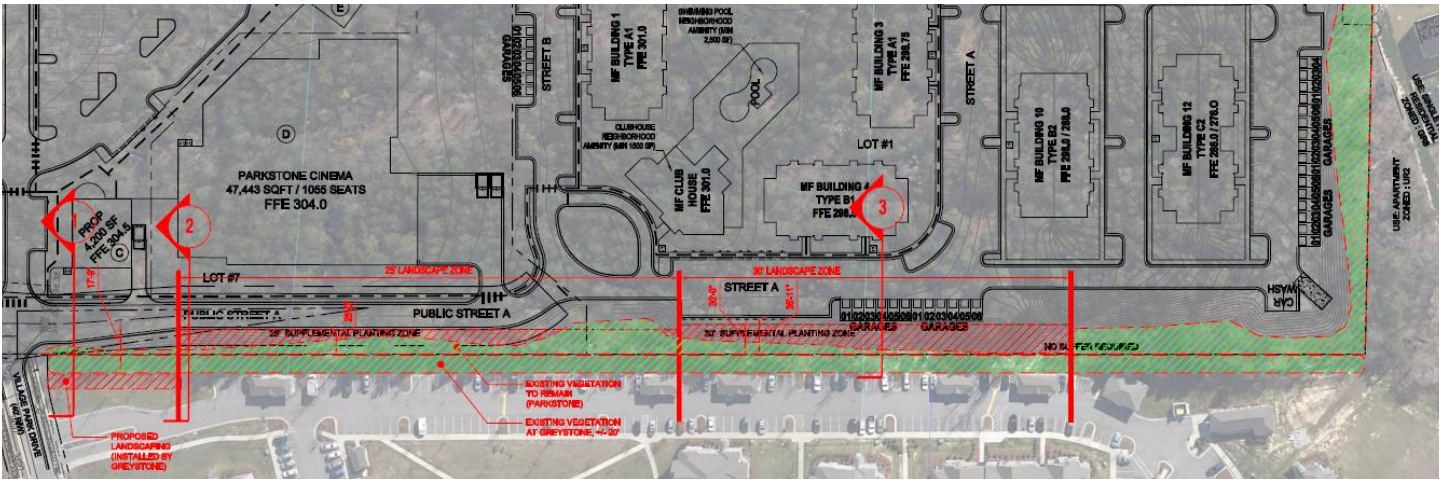
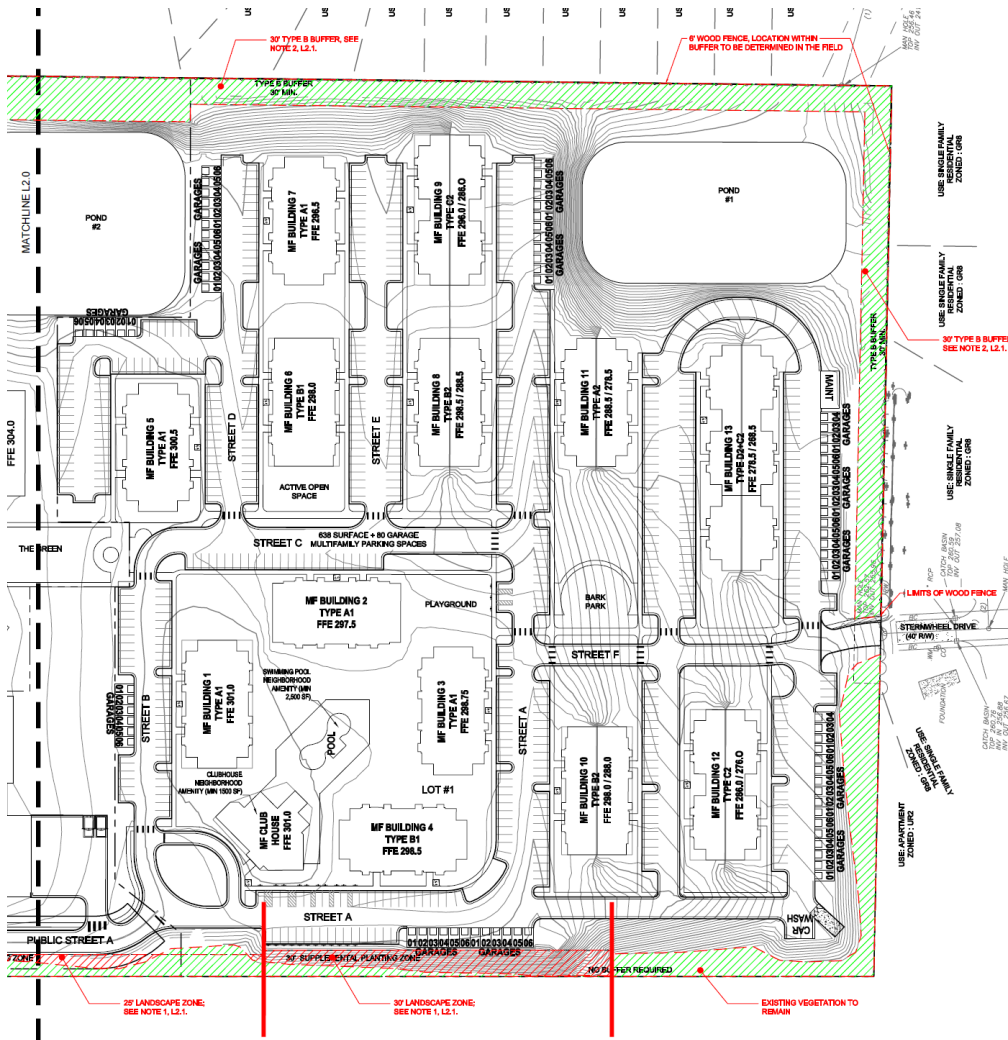
Prior to the Land Use Review Board meeting, the applicant submitted a revised layout demonstrating changes that had been made to the plan to address concerns noted during the public hearing on August 1, 2016. Exhibits presented before the LURB demonstrating the revisions to the grading plan and undisturbed buffer locations are provided after the list of modifications.

The changes to the plan included the following:

- Removal of a several incompatible uses permitted in the HB zoning district, such as indoor warehousing and Class 1 and 2 utilities.
- Ensuring 30' of the 50' Type D buffer adjacent to the commercial component of the project remained undisturbed
- Provide a 30' Type B buffer where a 20' buffer is required. Generally, 20' of the buffer will remain undisturbed.
- 6' wooden will be installed within the buffers on portions of the east side and south side of the subject property, terminating at the east side of Sternwheel Way as shown on the plans.

- Shifted Public Street A to the west an additional 10' to accommodate additional landscaping. Providing this landscaping does remove the sidewalk on the west side of Street A from the multi-family site to Village Park Dr.
- A 25 foot landscape zone between proposed Public Street A and the west property line of the project with a combination of existing and proposed vegetation.
- A 30 foot landscape zone between the proposed multi-family product and the west property line of the project with a combination of existing and proposed vegetation. In addition, the sidewalk originally proposed on the west side of the public street will be deleted in this area to accommodate additional landscaping requested by the Greystone property owners.
- Provision to provide a transit easement on Village Park Dr. and the final location of this easement will be determined at a later date.
- Addressed concerns with the property owner to the north regarding the impacts to their driveway.





## **X. LAND USE REVIEW BOARD SUMMARY**

The Land Use Review Board (LURB) heard this case at its August 8, 2016 meeting. After the staff presentation, the Board inquired about the location of the parking in front of the buildings, the type of fencing permitted in the HB and RMX zoning districts, monument sign heights, neon sign allowances, and grading.

Mr. Chris Bostic, Kimley-Horn, answered the Board's questions pertaining to grading and what the adjacent residents would see if the project was developed.

Mr. Thomas Shepherd spoke on behalf of the residents of the Woods of Parkside and requested that a 8' wall, 12-16" thick, constructed of acoustically sound materials be provided instead of the proposed fence. He stated that they are not opposed to the development, but concerned with noise. Several additional residents of the Woods of Parkside spoke also citing noise as a concern and noted that they would like to see the vegetation remain undisturbed. Mr. Michael Vaughn, who also lives in the Woods of Parkside, noted that he was concerned with the impact blasting may have on their development.

Ms. Rita Rakestraw stated that she was concerned that property values would be reduced. She requested that the developer increase the buffer from 30' to 80', locate the fence behind the vegetation and set aside a portion of the apartments for low income seniors.

The Greystone Apts. managing partner, Robert Gage, spoke before the Board and stated that while the buffer isn't required between the two developments, the applicant has been willing to work with them and provide a buffer and he is appreciative of their efforts.

Mike King with K&L Gates, the developer's attorney, noted that they have been working to address the concerns raised at the public hearing, such as providing a 30' undisturbed buffer within the 50' buffer, increasing the 20' buffer to 30' and working with Greystone Apts. and Wake Stone.

Ms. Jeanne Hansen was concerned with the number of apartments in the development and questioned if a section of the multi-family development could be privately owned condos vs. rentals. She also voiced concerns with the Zika virus due to the BMPs on-site.

Mr. Brian Long, Director of Development for the Widewaters Group, informed the LURB that they were trying to address the concerns raised by the residents where possible and vegetation in the buffers would be saved where possible or revegetated.

The LURB voted 8-0 to recommend approval of this Zoning Map Amendment, ZMA-7-16, finding that it is consistent with the comprehensive plan and to forward staff's written advisory statement to the Town Council, while also recommending that the applicant be required to provide an undisturbed buffer of at least 30 feet, careful consideration be given to the maximum lighting limitations, additional street parking be encouraged, the condition to relax bicycle

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parking provisions be removed, a more direct connection to Village Park Drive be considered, and a more substantial material than wood be used for the six foot privacy fence. Furthermore, LURB recommended the following advisory statement:

#### WRITTEN ADVISORY STATEMENT FROM LURB

The proposed zoning map amendment advances the stated objectives of embedding commercial activity as integral components of neighborhoods and design districts, which assists in promoting a vibrant, sustainable and safe community design in which people desire to live, work and visit. It is furthermore consistent with the Comprehensive Plan's stated goals of providing horizontal mixed uses and interconnected street networks, with sidewalks, to create walkable neighborhoods.

#### **XI. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

North Carolina General Statute 160A-383 requires that **prior to** adoption or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action to be reasonable and in the public interest.

#### PROPOSED WRITTEN ADVISORY STATEMENT FROM LURB:

The proposed zoning map amendment advances the stated objectives of embedding commercial activity as integral components of neighborhoods and design districts, which assists in promoting a vibrant, sustainable and safe community design in which people desire to live, work and visit. It is furthermore consistent with the Comprehensive Plan's stated goals of providing horizontal mixed uses and interconnected street networks, with sidewalks, to create walkable neighborhoods.

#### **X. DEVELOPMENT SERVICES DEPARTMENT RECOMMENDATION**

Based upon the above statement regarding Comprehensive Plan Consistency & Reasonableness of Action, the Development Services Department recommends that the Town Council approve ZMA-7-16, Suggs/Hargrove's Knightdale Blvd. Property, and adopted ORD# 16-08-17-002 with the following conditions:

- Applicant submits construction drawings for approval to the Town that are in conformance with the approved conditions of the HBCD and RMXCD zoning districts, master plan comments and clarifications from the June 30, 2016 TRC meeting
- Applicant proceeds with a UAA for Town Council consideration
- Submit an addendum to NCDOT to address the split phasing signal modifications
- Submit a revised TIA to the Town of Knightdale, which would include the signal modifications submitted to NCDOT
- Approve the revisions to the master plan narrative sent to the applicant on August 15, which include, but are not limited to only permitting 1 monument sign on Knightdale Blvd. at 20' in height and pertaining to vested rights.





# TOWN OF KNIGHTDALE

DEVELOPMENT SERVICES  
DEPARTMENT

[www.knightdalenc.gov](http://www.knightdalenc.gov)

950 Steeple Square Court  
Knightdale, NC 27545  
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(f) 919.217.2249

**ORD #16-08-17-002**  
**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE**  
**OF THE TOWN OF KNIGHTDALE,**  
**WHICH INCLUDES THE ZONING DISTRICT MAP**

**ZMA-7-16 Suggs/Hargrove's Knightdale Blvd. Property**

WHEREAS, the Town of Knightdale has received a petition to amend the zoning of property from Highway Business Conditional District (HBCD) and Urban Residential-12 (UR-12) to Highway Business Conditional District (HBCD) and Residential Mixed Use Conditional District (RMXCD); and

WHEREAS, the Town Council finds that the proposed zoning map advances the stated objectives of embedding commercial activity as integral components of neighborhoods and design districts, which assists in promoting a vibrant, sustainable and safe community design in which people desire to live, work and visit. It is furthermore consistent with the Comprehensive Plan's stated goals of providing horizontal mixed uses and interconnected street networks, with sidewalks, to create walkable neighborhoods; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina that:

Section 1. That the Unified Development Ordinance of the Town of Knightdale Code, which includes the Zoning District Map, be amended to include the parcel of land identified by the PIN 1744.04-84-3240 from Highway Business Conditional District and Urban Residential-12 to Highway Business Conditional District and Residential Mixed Use Conditional District as indicated.

Section 2. That the additional conditions contained within the application identified as ZMA-7-16 and listed below apply as additional zoning conditions to the parcels of land identified as PIN 1744.04-84-3240:

1. Applicant submits construction drawings for approval to the Town that are in conformance with the approved conditions of the HBCD and RMXCD zoning

districts, master plan comments and clarifications from the June 30, 2016 TRC meeting

2. Applicant proceeds with a UAA for Town Council consideration
3. Submit an addendum to NCDOT to address the split phasing signal modifications
4. Submit a revised TIA to the Town of Knightdale, which would include the signal modifications submitted to NCDOT
5. Approve the revisions to the master plan narrative sent to the applicant on August 12, which include, but are not limited to only permitting 1 monument sign on Knightdale Blvd. at 20' in height and pertaining to vested rights.

Section 3. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

Section 4. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

Section 5. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

Section 6. That this ordinance shall be enforced as provided in NCGS §160A-175 or as provided for in the Knightdale Town Code.

Section 7. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 17th day of August, 2016.

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James A. Roberson, Mayor

ATTEST:

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Whitney A. Ledford, Town Clerk

APPROVED AS TO FORM:

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Clyde Holt, III; Town Attorney

## Developer Response to LURB recommendations and Public Comments 8/8/16 LURB meeting

### **I. The LURB has recommended a minimum of 30' undisturbed buffer for the eastern and southern areas of the development that abut parcels with GR8 zoning classification.**

LURB suggested that the proposed grading be analyzed to determine if the entire 30' buffer could be left undisturbed. The existing grades and slopes of development create a challenging grading environment. As such, and in response, Developer has offered to provide enhancements to the UDO buffer requirements in the following manner as illustrated in the provided cross-sections, such that both the 50' and the 30' buffers will meet the "performance standards" of the Type D buffer:

- Type D – 50' UDO buffers between HB and GR8 zone
  - Developer has provided enhancements by agreeing to preserve the outer 30' as an undisturbed buffer to maintain the existing canopy trees, understory trees and natural vegetation.
  - Developer has agreed to enhance the inner 20' of the Type D buffer with additional vegetation should the undisturbed area alone not meet the UDO standards for a Type D Buffer.
  - Developer has also agreed to relocate the proposed 6' wooden fence to the interior portion of the buffer such that the neighboring property owner will have the full benefit of the entire buffer.
- Required Type B – 20' UDO buffers between RMX and GR8 zones
  - Developer has provided enhancements to the required 20' buffer by increasing to 30'.
  - Developer has agreed to further enhance this buffer by preserving the outer 20' as an undisturbed buffer.
  - Developer has agreed to enhance the inner 10' of the buffer with additional vegetation should the undisturbed area alone not meet the UDO Performance Standards for a Type D Buffer as shown in Section 8.6(B)(4)(d) of the UDO.
  - Developer has also agreed to relocate the proposed 6' wooden fence to the interior portion of the buffer such that the neighboring property owner will have the full benefit of the entire buffer.
- No required buffer between RMX and UR12 zones
  - Developer has coordinated with adjoining property owner, Greystone, and has developed a plan to provide buffers on Developers property including both the retention of existing vegetation as well as additional landscape areas to the satisfaction of Greystone.

### **2. The LURB has recommended that a 6' wall be substituted for the proposed 6' wooden fence**

Developer has offered to provide a 6' wooden fence within the enhanced buffers abutting the adjoining GR8 zoned properties. Although the inclusion of any fencing is not a UDO requirement within the buffers, Developer has offered to install fencing on the interior portion of such buffers, in addition to

enhancements to the landscaping with these buffers beyond the requirements of the UDO. By locating the fence on the interior side of the buffer, Developer has attempted to give the neighboring properties the full benefit of the entire buffer area that Developer is providing.

Fences are not typically required within buffers, as the buffers themselves are designed and intended to provide both visual screening and noise attenuation. The addition of the wooden fence will provide a physical barrier and possibly a degree of additional visual screening and noise attenuation. However, it should be noted that due to the enhance buffering being offered by the Developer, neither a fence or a wall would be significantly visible from the neighboring properties, as further illustrated in the provided cross-sections.

**3. The LURB has recommended that on-street parking be further evaluated to determine if it is feasible**

In response, Developer and staff have evaluated on-street parking, and have determined due to several factors that it is not feasible.

Due to the need for a center turn lane in most areas of the two public streets, the ROW profile for the Main Street classification (64') would be insufficient for on-street parking in addition to the necessary 3 traffic lanes (one lane in each direction plus a center turn lane), required sidewalks, street trees, and outer landscape requirements.

Additionally, due to driveway intersections with the two public streets, there was minimal frontage that would have been safe for the on-street parking inclusion.

**4. The LURB has recommended that the location of Village Park Drive be evaluated for alternative geometry that would connect the existing locations on either side of the ParkStone development directly**

Developer and staff have evaluated the proposed location of Village Park Drive, and have determined due to several factors that the proposed location is the most feasible.

Due to existing development patterns, the location of Village Park Drive is not a uniform distance from Knightdale Blvd. The additional requirement to build the North/South road further complicates the geometry.

Vehicles using Village Park Drive to travel east and west would have to stop at the intersection of the north/south road in any configuration, limiting any benefit that could be realized if the location were to be altered from its current geometry.

**5. The LURB has recommended that the amount of bicycle parking be further evaluated to ensure it is sufficient.**

In response, Developer has increased the bicycle parking spaces in the retail center to 50 from the original proposal of 40. Developer is already exceeding the required bicycle parking for the multi-family area by proposing 35 spaces, which exceed the requirement of 32 spaces.

Developer notes that it has a vested interest in ensuring that visitor (aka customer) have ample parking regardless of their mode of transportation. Therefore, Developer will monitor the usage of bicycle

parking to ensure that it is sufficient, and will provide additional spaces should the usage exceed what is anticipated.

**6. LURB has recommended that assurance be made such that light trespass will not occur**

The UDO addresses this issue and Developer has provide lighting plans illustrating its committed to adhering the UDO standards. Cut-off light fixtures have been used to direct the light output in a manner that addresses this concern.

**MASTER PLAN**  
**PARKSTONE PROPOSED CONDITIONAL DISTRICT**

57 ± ACRES

U.S. HIGHWAY 64 BUSINESS (KNIGHTDALE BOULEVARD)

DEVELOPER:

KNIGHTDALE DEVELOPMENT OWNERSHIP, LLC.

CONSULTANTS:

K&L Gates -- Attorneys

Kimley-Horn and Associates, Inc. -- Civil and Traffic Engineers, and Landscape Architects

Finley Design PA – Architects

Submitted: June 13, 2016

Revised: August 1, 2016

Revised: August 15, 2016

## **I. INTRODUCTION**

This document and the accompanying plan sheets (collectively, the “*Master Plan*”) are provided pursuant to provisions of the Knightdale Unified Development Ordinance (the “*UDO*”) pertaining to the Conditional District proposed for ParkStone (the “*Development*”), a shopping center and multi-family residential development proposed by Knightdale Development Ownership, LLC (“*Developer*”). The Development will be developed in a fashion that is appropriate for the location of the Development, the nature of adjoining and nearby land uses, and the Town of Knightdale’s investment in existing infrastructure.

## **II. LOCATION, CURRENT ZONING, AND COMPREHENSIVE PLAN CONTEXT**

The Master Plan addresses approximately 57 acres abutting U.S. Highway 64 Business (Knightdale Boulevard) designated as Lot #1 through Lot #14, inclusive, as shown on the attached Sheets C2.0 and C2.1 (the “*Property*”). The Town’s 2027 Comprehensive Plan designates Lot #1 as a Neighborhood Design area and Lots #2 through #14 as a Highway Design area, including a portion of a Primary Activity Center. Lots #2 through #14 and a portion of Lot #1 are currently zoned Highway Business-Conditional District, and a portion of Lot #1 is currently zoned Urban Residential-12.

## **III. THE DEVELOPMENT CONCEPT**

For purposes of the Master Plan, there will be approximately ten buildings developed on Lots #2 through #14 for retail and commercial uses, as well as thirteen multifamily residential buildings and a clubhouse/amenity structure on Lot #1. Pedestrian elements, including an open green and extensive sidewalks, will connect the two sections of the Development.

As shown on Sheets C2.0 and C2.1, public street access to the Development will be provided by a new street to be extended from Knightdale Boulevard into the residential portion of the Development, running from north to south and vice versa (the “*North-South Street*”). Additional public street access is provided by Village Park Drive, which will be extended through the Property, providing access to and from the eastern and western boundaries of the Property. The Development will also be served by a private, right-in/right-out joint access from Knightdale Boulevard located on Lot #12 and Lot #13. With the additional extensions of the North-South Street and Village Park Drive as shown on Sheets C2.0 and C2.1, the Development will be served by public street access points on three sides of the Property.

The Development may be served by at least two curb cuts onto the North-South Street and by at least eight (8) curb cuts onto Village Park Drive, which curb cuts may be established as shown on Sheets C2.0 and C2.1. The owner(s) of lot(s) within the Development may request curb cuts in addition to those shown on Sheets C2.0 and C2.1.

#### **IV. PARKSTONE MASTER PLAN**

The Property will be developed as described in this document and as shown on the Master Plan attached as Sheets C2.0 and C2.1.

##### **A. Permitted and Prohibited Uses for the Development**

For purposes of the Master Plan, the term “*Allowable Commercial Uses*” shall mean and refer to those uses identified in Section 2.3.C. of the UDO, including all of the following: Hotels/Motels/Inns; Animal Services (subject to additional standards in UDO Chapter 3); ATM; Banks, Credit Unions, Financial Services; Business Support Services; Community Service Organization; Cremation Facilities; Drive Thru Service (subject to additional standards in UDO



Chapter 3); Equipment Rental (subject to additional standards in UDO Chapter 3); Funeral Homes; Government Services; Medical Services; Personal Services (subject to additional standards in UDO Chapter 3); Professional Services; Studio – Art, dance, martial arts, music; Tattoo Shop; Vehicle Services – Maintenance/Body Work/Repair (subject to additional standards in UDO Chapter 3); Auto Parts Sales; Bar/Tavern/Night Club; Drive-Thru Retail/Restaurants (subject to additional standards in UDO Chapter 3); Gas Station with Convenience Store (subject to additional standards in UDO Chapter 3); Neighborhood Retail/Restaurant – 2,000 sf or less; General Retail – 10,000 sf or less; General Retail – 10,001 sf to 50,000 sf; General Retail – Greater than 50,000 sf; Restaurant; Shopping Center – Community Center; Shopping Center – Neighborhood Center; Amusements, Indoor – 5,000 sf or less; Amusements, Indoor – 5,001 sf – 20,000 sf; Amusements, Indoor – Greater than 20,000 sf; Amusements, Outdoor (subject to additional standards in UDO Chapter 3); Cultural or Community Facility; Recreation Facilities, Indoor; Recreation Facilities, Outdoor; Theater, Movie; Laboratory – Medical, analytical, research & development; Laundry, dry cleaning plant; Media Production; Mini-Warehouses (subject to additional standards in UDO Chapter 3); Research and Development; Public Safety Facility; Religious Institutions; Schools – Vocational/Technical; Wireless Telecommunication Facility – Stealth; Child/Adult Day Care Center (6 or more people).

For purposes of the Master Plan, “*Allowable Residential Uses*” shall mean and refer to those uses identified in Section 2.3.C. of the UDO, including all of the following: Dwelling-Multifamily more than 4 units/bldg; Child/Adult Day Care Home (Fewer than 6 people) (subject to additional standards in UDO Chapter 3); Home Occupation.

For purposes of the Master Plan, “*Prohibited Uses*” shall mean and refer to the following uses identified in Section 2.3.C of the UDO: Bed and Breakfast Inns; Vehicle/Heavy Equipment

Sales; Manufacturing, Light; Manufacturing, Neighborhood; Campground; Cemeteries; Transit, Road & Ground Passenger Services; Theater, Live Performance; Storage – Warehouse, indoor storage; Wholesaling and distribution; Hospital; Utilities-Class 1 & 2; and Utilities-Class 3; Dwelling-Single Family; Dwelling-Duplex; Dwelling-Multifamily 4 units/bldg or less; Family Care Home (6 or Less residents); Housing Service for the Elderly; Live-Work Units; Rooming or Boarding House; Child/Adult Day Care Home (6 or more people); Post Office; Meeting Facilities.

Except as otherwise expressly limited herein, the Allowable Commercial Uses shall be permitted by-right on Lots #2 through #14 and shall not require a special use permit. Except as otherwise expressly limited herein, the Allowable Residential Uses shall be permitted by-right on Lot #1 and shall not require a special use permit. The Prohibited Uses shall not be permitted within the Development.

The development criteria of the buildings and lots within the Development as shown on Sheets C2.0 and C2.1 are as follows:

**B. Lot #1**

Uses: Lot #1 may be developed with the uses described below:

a. Stormwater Pond. Lot #1 may be permitted to be developed in part as a stormwater facility as shown generally on Sheet C2.1, which stormwater facility is shown for illustrative purposes only.

b. Multifamily Residential. Lot #1 as shown on Sheet C2.1 may be developed as apartments or as any other use permitted in the Allowable Residential Uses. Unless developed in accordance with the attached Sheet C2.1, the orientation of the buildings shall be agreed upon by

Town Administration and the owner of Lot #1, and the Town Administration shall be permitted to approve site plans for Lot #1 that deviate from the plan for Lot #1 as shown on Sheet C2.1, provided that such deviations do not constitute Substantial Changes as contemplated by Section IX.A.1 hereof and the UDO.

**C. Buildings A, B, and H through K / Lots #3 through #6, #8, and #9**

Uses: Buildings A, B, and H through K as shown on Sheet C2.0 may be developed as a combination of Retail/Restaurant uses, as well as any other use permitted in the Allowable Commercial Uses. Unless developed in accordance with the attached Sheet C2.0, the orientation of the above buildings shall be agreed upon by Town Administration and the owner of the respective Lot, and the Town Administration shall be permitted to approve site plans for each Lot that deviate from the plan for such Lot as shown on Sheet C2.0, provided that such deviations do not constitute Substantial Changes as contemplated by Section X.A.1 hereof and the UDO.

**D. Building D / Lot #7**

Uses: Building D as shown on Sheet C2.0 may be developed as a Movie Theater or as any other use permitted in the Allowable Commercial Uses. Unless developed in accordance with the attached Sheet C2.0, the orientation of Building D shall be agreed upon by Town Administration and the owner of Lot #7, and the Town Administration shall be permitted to approve site plans for Lot #7 that deviate from the plan for Lot #7 as shown on Sheet C2.0 provided that such deviations do not constitute Substantial Changes as contemplated by Section IX.A.1 hereof and the UDO.

**E. Buildings C, E, F, and G / Lot #2**

Uses: Lot #2 may be developed with the uses described below:

a. Stormwater Pond. Lot #2 may be permitted to be developed in part as a stormwater facility as shown generally on Sheets C2.0 and C2.1, which stormwater facility is shown for illustrative purposes only.

b. Retail. Buildings C, E, F, and G on Lot #2 as shown on Sheet C2.0 may be developed as a combination of Retail/Restaurant uses, as well as any other use permitted in the Allowable Commercial Uses. Unless developed in accordance with the attached Sheet C2.0, orientation of Buildings C, E, F, and G on Lot #2 shall be agreed upon by Town Administration and the owner of Lot #2 and the Town Administration shall be permitted to approve site plans for Lot #2 that deviate from the plan for Lot #2 as shown on Sheet C2.0 provided that such deviations do not constitute Substantial Changes as contemplated by Section X.A.1 hereof and the UDO.

**F. Lots #10 and 11**

Uses: At the option of the owner of each of Lots #10 and #11 (the "Buffer Lots"), each Buffer Lot shall be permitted to be developed as follows:

a. Stormwater Pond. The Buffer Lots may be permitted to be developed as stormwater facilities as shown generally on Sheet C2.0, which stormwater facility is shown for illustrative purposes only.

b. Open Space. The Buffer Lots may be permitted to be developed as stormwater facilities as shown generally on Sheet C2.0.

c. Commercial Use. The Buffer Lots, as shown on Sheet C2.0, may be developed for Retail/Restaurants uses, as well as any other Allowable Commercial Uses. Orientation of any building located on a Buffer Lot shall be agreed upon by Town Administration and the owner of

the Buffer Lot, and the Town Administration may approve site plans for Buffer Lots that deviate from the plan for the Buffer Lots as shown on Sheet C2.0 if all ordinances and policies are met. Buffer Lots may be developed in any combination of the aforementioned uses, including without limitation Allowable Commercial Uses, stormwater facilities, and open space.

2. Access/Curb Cut. In the event that a Buffer Lot is developed for a commercial use as contemplated by subsection IV.F.c above, that Buffer Lot shall be entitled to be served by at least one (1) curb cut onto an adjacent public street, subject to Town policies and standards, and to review and approval by the Town Technical Review Committee as such lot is developed.

**G. Lots #12 through #14**

Uses: Lots #12 through #14, inclusive (the "Outparcels"), as shown on Sheet C2.0 may be developed for Retail/Restaurants uses, as well as any other uses permitted in the Allowable Commercial Uses.

Access/Curb Cuts. Each Outparcel shall be entitled to be served by at least one (1) curb cut onto Village Park Drive per developed lot. The location of curb cuts for the Outparcels shall be reviewed and approved by the Town Technical Review Committee as each Outparcel develops.

**V. REDUCTIONS IN TOWN ORDINANCE REQUIREMENTS**

Pursuant to the provisions of Section 2.15.C of the UDO, the Town Council has the authority to approve a master plan as part of a required conditional district zoning that reduces certain standards of the UDO.

In light of the mixed use character of the Development; its substantial addition to the tax base; and the improvements Developer has proposed that exceed the minimum requirements

under the UDO, including for example additional buffers, landscaping, transportation improvements, and fencing; the following items are expressly approved as alternatives to UDO provisions otherwise applicable, notwithstanding any UDO provisions to the contrary:

A. Transparency and Clear Glazing:

1. All buildings shall meet the transparency requirements of Section 5.11.C.2.a., except as shown on the approved elevations attached to the Master Plan.

2. For areas used for kitchens, storage, restrooms, utility, or similar service areas, spandrel glass may be used in place of clear glass in order to satisfy the requirements of UDO Section 5.11.C.2.a.

B. Neon: Any movie theater within the development may include neon signs in excess of the limitations of Sections 12.3.D. and 12.4.K., as approved by Town Development Services staff.

C. Building materials:

1. Rear of Buildings G through J: Notwithstanding Section 5.11.C.4 of the UDO, any cementitious product may be used for the rear (east-facing) wall of buildings G through J.

2. Quick Brik or similar: Notwithstanding Section 5.11.C.4 of the UDO, buildings with a gross floor area of greater than 20,000 square feet may be permitted to include Quick Brik or a substantially similar product as an acceptable building finish in addition to those finishes contained in the UDO.

D. Flag lots: Notwithstanding the provisions of Section 4.2.K of the UDO, all Lots within the Development may be developed as shown on Sheets C2.0 and C2.1. Each lot shall meet the minimum lot width at a point not to exceed 400 feet from the right of way.

E. Setbacks:

1. Notwithstanding Section 2.11.B. of the UDO, Building K must be set back from the nearest public right-of-way generally as shown on Sheet C2.0, but in no case farther than 180 feet.

F. Parking:

1. Off-street vehicle accommodation areas, including but not limited to parking areas, are to be located in accordance with UDO Sections 10.4.A and 10.6.A, except as shown on Sheets C2.0 and C2.1.

2. Parking areas on Lots #2 through #9 shall be permitted to be developed with parking areas divided into modules containing up to 50 parking spaces per module, generally as shown on Sheets C2.0 and C2.1, notwithstanding the provisions of Section 10.6 of the UDO related to the same.

3. On-Street Parking: Notwithstanding Section 17.3 of the UDO, on-street parking shall not be provided on roadways within the Development.

G. Park and Ride spaces: Notwithstanding §10.3.B of the UDO, park and ride parking spaces shall not be required within the Development.

H. Buffers: The Development is planned for a mix of uses and includes the North-South Street between commercial uses and adjoining property to the west. Consequently, notwithstanding Sections 2.11.B and 8.6 of the UDO, (a) no buffer or setback shall be required between the commercial (zoned HBCD) and residential (zoned RMXCD) portions of the Development, nor between the multifamily (RMXCD) portion of the development and the adjacent UR12 zoning district to the west; and (b) all other setbacks and buffers between zoning districts shall be as shown on the attached Sheets C2.0 and C2.1. Land disturbance activities are permitted within any buffer in the Development, generally as depicted in Sheets C3.0 and C3.1.

I. Bicycle parking: Notwithstanding § 10.3.C. of the UDO, the Development shall include a minimum of 50 bicycle parking spaces on the Highway Business / retail portion of the Development.

J. Signage:

1. Notwithstanding the provisions of UDO Section 12.5.B, in addition to signage otherwise permitted by the UDO, one off-premise monument sign of up to 20' in height and 200 sq. ft. in area per side shall be permitted along Knightdale Boulevard for the benefit of Lots #1 through #9.

2. Notwithstanding the provisions of UDO Section 12.5.B, in addition to signage otherwise permitted by the UDO, a project branding sign of up to 4' in height and 50 sq. ft. in area shall be permitted on a decorative wall of no more than 5' in height, which wall shall be located at the southeast corner of the intersection of Village Park Drive and the North-South Street for the benefit of Lots #1 through #9. The sign base and structure shall include architectural elements similar to the approved elevations for the Development.

K. Landscaping of Parking Areas: Notwithstanding the provisions of Section 8.8 of the UDO, no more than one shade tree shall be required to be planted within any parking island in the Development. Shade trees shall be provided as indicated on the attached Sheets L2.0, L2.1, and L5.0.

L. **Street Walls and Roof Lines:**

1. For any movie theater within the Development, the façade articulation requirements of UDO Section 5.4.G. shall be met by any elevation similar to that shown for Building D on Sheet A2.

2. All roof lines of commercial buildings within the Development shall comply with Section 5.11.C.5, except as shown on the approved elevations.

M. **Tree Protection:** The tree protection provisions of the UDO shall not apply to any areas within the Property for which tree removal is consistent with a state or federal permit allowing for the impacting of jurisdictional streams, wetlands, or riparian buffer zones. Further, the standard of Section 8.5.A of the UDO shall be modified such that the standard for tree replacement in Tier 2 areas shall be that all trees greater than 15" DBH shall remain undisturbed or be replaced at a rate of 1 tree per 15" DBH.

N. **Fencing:** Notwithstanding Section 4.8.B of the UDO, the fence near the eastern boundary of the Development shown on Sheets C2.0 and C2.1 may be constructed of wood.

**VI. ADDITIONAL CONDITIONS**

A. **Utility Allocation Agreement**

The developer and owners of the Property shall agree to a Utility Allocation Agreement.

The Town shall have no obligation to provide public water and sewer service to the Property until the Owners and Developer enter a Utility Allocation Agreement with the Town.

B. **Buffers**

Developer will provide Type B and/or D buffer yards between the Property and the residential uses to the east and south of the Property, as shown on Sheets C2.0, C2.1, L2.0, and L2.1. Upon completion of clearing and grading activities, the existing vegetation will be assessed by Town staff to confirm that it is sufficient to meet the performance standard per Chapter 8 of the Town of Knightdale UDO. Should the standard not be met, the developer will work with Town staff to identify supplemental vegetation necessary to achieve the performance standard of UDO Section 8.6.B.



A six-foot-high wooden fence shall be installed within the buffers along portions of the eastern and southern boundaries of the Property, as shown on the attached Sheets C2.0 and C2.1.

**C. Unity of Development**

All buildings will generally exhibit architectural compatibility with the illustrative Elevations attached to the Master Plan application through integrated design features, common building materials and appropriate scale of development; provided that color shall not be required to be one of the design elements unifying the Development. Because the Elevations are illustrative in nature, the unity of development standards for each individual lot comprising the Property may be modified and determined on a site specific basis.

**D. Landscape Maintenance and Location**

Either the Developer or a designated operator under an operating agreement for the Development or a property owners' association for the Development shall maintain the common areas within the Development, including the stormwater detention ponds as shown on Sheets C2.0 and C2.1. For clarity, common areas that the Developer or a property owners' association must maintain do not include undisturbed buffer areas that meet applicable standards. Landscaping of the Development shall be in accordance with the Landscape Plan attached hereto as Sheets L2.0 and L2.1.

**E. Stormwater Management**

Stormwater management for the Development shall be provided in accordance with Sheets C3.0 and C3.1 and the Stormwater Plan included with the Master Plan application submittal.

Stormwater management infrastructure may change in size or shape at the time of

submission of construction drawings. Stormwater collection systems in public rights-of-way shall conform to the Town's standards and specifications. Collection systems on private property may utilize storage devices, bioretention areas or rain gardens, and other alternative design concepts.

**F. Road Construction**

1. The North-South Street and Village Park Drive through the Development shall be constructed in accordance with the street sections shown on Sheet C5.0 and the Town's Arterial and Collector Plan. These streets shall be public roads upon completion and dedication to the Town. In connection with the construction of any public roads within the Development as shown on Sheets C2.0 and C2.1, the Town may be identified as the applicant on any permit(s) to cross or otherwise impact jurisdictional wetlands and/or stream buffers if such permits are required by the State of North Carolina or the United States Army Corps of Engineers. Developer and/or the owner of the lot requiring any permit to cross or otherwise impact jurisdictional wetlands and/or stream buffers shall bear the sole cost and expense associated with any permits to be procured hereunder.

2. Developer also shall construct one additional right turn lane within eastbound Knightdale Boulevard onto the North-South Street and lengthen the left turn lane within westbound Knightdale Boulevard, as recommended by the Traffic Impact Analysis prepared by Kimley-Horn and Associates, Inc. for the Development. The above recommended traffic and roadway improvements for the Development are described in the Traffic Impact Analysis submitted herewith and will be constructed, provided such

improvements are approved by the North Carolina Department of Transportation and the Town of Knightdale.

3. In addition to the above required and recommended improvements, as further provided on Sheets C2.0 and C2.1 and subject to North Carolina Department of Transportation approval, Developer agrees to make the following additional improvements in accordance with the UDO requirements: (a) re-stripe Knightdale Boulevard from its intersection with the North-South Street northward to its intersection with Smithfield Road; (b) install signal heads at the intersection of Knightdale Boulevard and the North-South Street; (c) improvements to the north side of Knightdale Boulevard relating to the signalization of the intersection of Knightdale Boulevard and the North-South Street; and (d) improvements to the driveway entrance of the Wake Stone quarry property across Knightdale Boulevard from the Development, generally as shown in the Utility Allocation Agreement referenced in condition A, above.

**G. Pedestrian Orientation**

Sidewalks of five feet (5') in width shall be constructed along both sides of the North-South Street (except where necessary to accommodate additional landscaping on the western portion of the Property where the HB zone abuts adjacent UR12 zoning), Village Park Drive, and the private right-in, right-out entrance to the Development along Knightdale Boulevard; between the multifamily residential buildings and parking areas on Lot #1; and between each building on Lots #2 through #14 and the adjoining parking areas, all as shown on Sheets C2.0 and C2.1. As individual lots within the Development are submitted for site plan approval, only those portions



of the sidewalks that are contained within each lot must be constructed prior to issuance of a building permit for such lot.

## **VII. VESTED RIGHTS**

This Master Plan shall constitute a Site Specific Development Plan establishing vested rights for the Development for a period of five (5) years.

## **VIII. CONDITIONS OF DEVELOPMENT AND OCCUPANCY**

The following are the conditions of development and occupancy that shall apply to any lot within the Property:

### **A. Conditions to be met prior to issuance of a Construction Improvements Permit**

1. That the construction plans reflect the technical recommendations of the Technical Review Committee, the City of Raleigh Public Utilities Department and all other regulating agencies.
2. That street names be approved by the Town and Wake County.
3. That the Town and the owners and developers of the Property have agreed to and executed a Utility Allocation Agreement.

### **B. Conditions to be met prior to a Certificate of Occupancy**

1. That all improvements be constructed as required by the approved construction plans for each lot; and
2. That road improvements and the traffic signal at Knightdale Boulevard shall be constructed as approved by NCDOT.

## **IX. AMENDMENTS AND APPROVALS**

### **A. Amendments**

Subject to the terms of any overall operating and reciprocal easement and maintenance agreement recorded as part of development of the Property, all of the owners of Property within the Development shall join in any amendment to this Master Plan and the exhibits hereto.

### **B. Approvals**

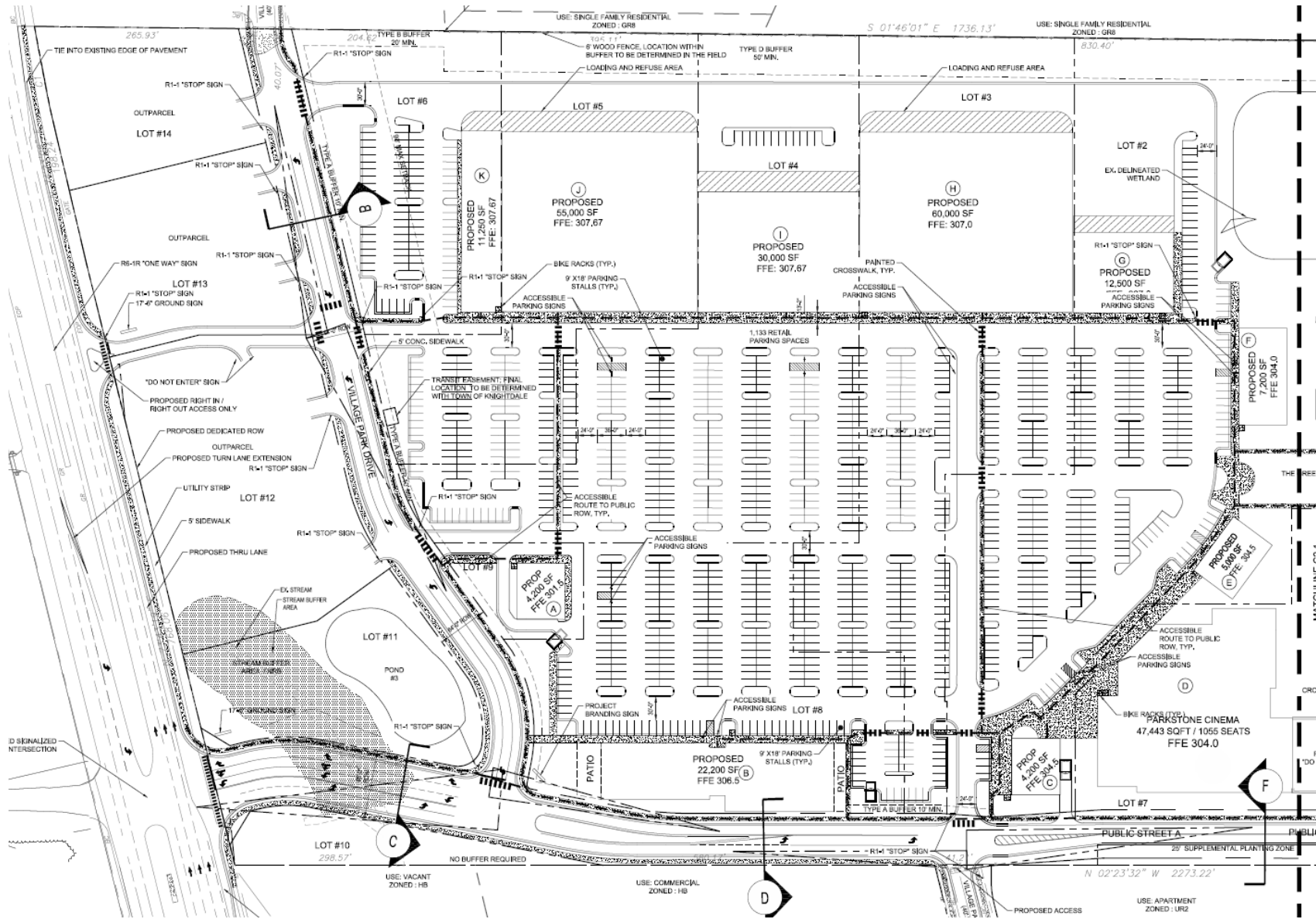
Unless otherwise provided herein, the Town Manager or his or her designee shall have the authority to approve site plans and any other development plans as development occurs on the Property.

1. Substantial Changes. As provided for in Section 15.6.C. of the UDO, any change to this Master Plan that results in a net increase in the number of lots or a net increase of more than 10% of a building's heated floor area shall be considered a "*Substantial Change*" and shall be reviewed by the Land Use Review Board and approved or denied by the Town Council as an amended conditional district.

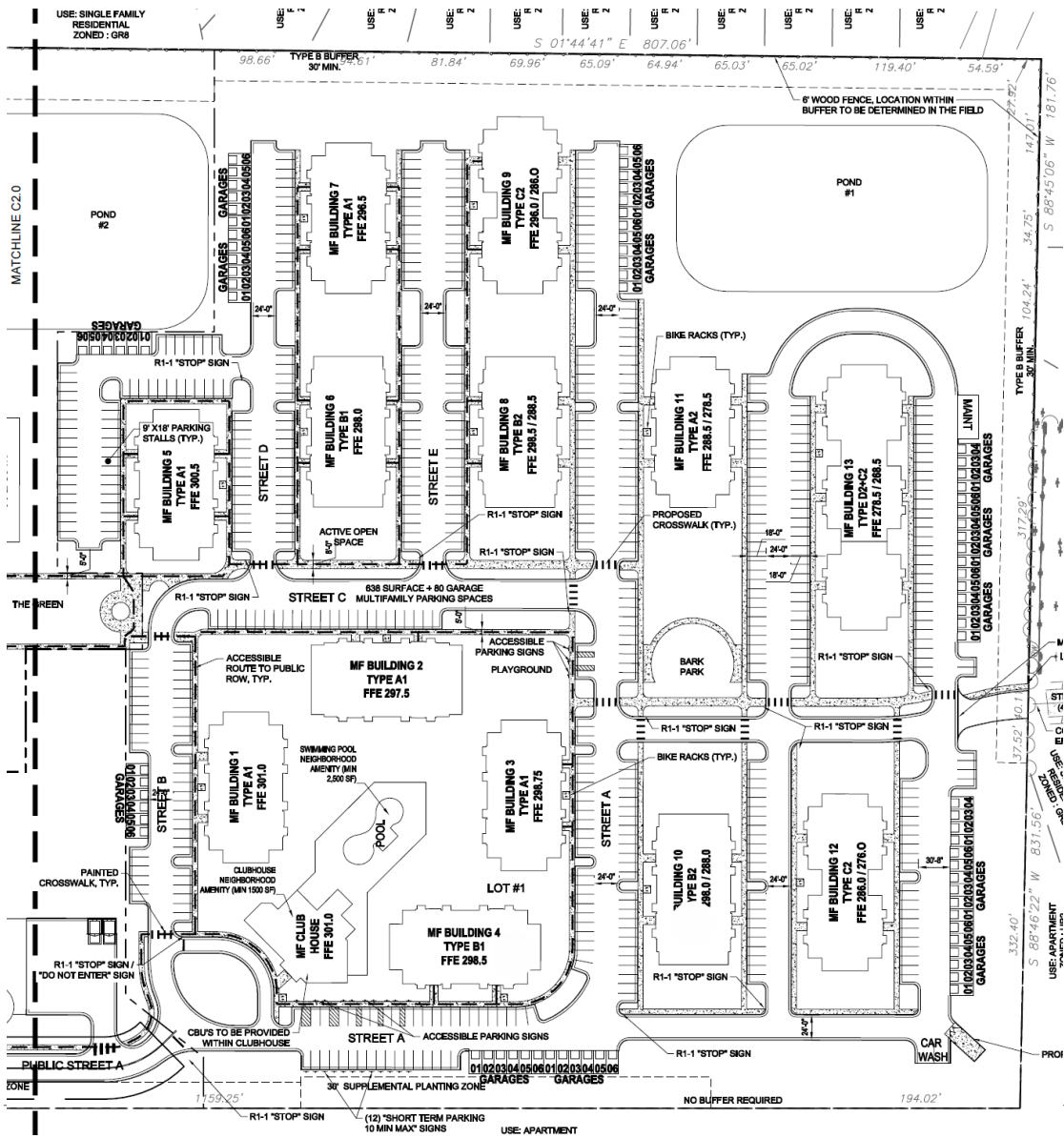
2. Administrative Changes. Except for Substantial Changes as described above, the Town Manager or his or her designee may approve minor alterations to this Master Plan as "*Administrative Changes.*" All changes to the Master Plan that are not Substantial Changes shall be considered Administrative Changes. Such minor alterations include, without limitation, minor or non material changes in lot lines, driveway access points, and changes in public street locations, lot lines, driveway access points, and changes in street or sidewalk construction standards that do not affect the traffic-carrying

capacity of the respective streets or sidewalks. Appeals of administrative changes shall be made to the Land Use Review Board.

# Master Plan

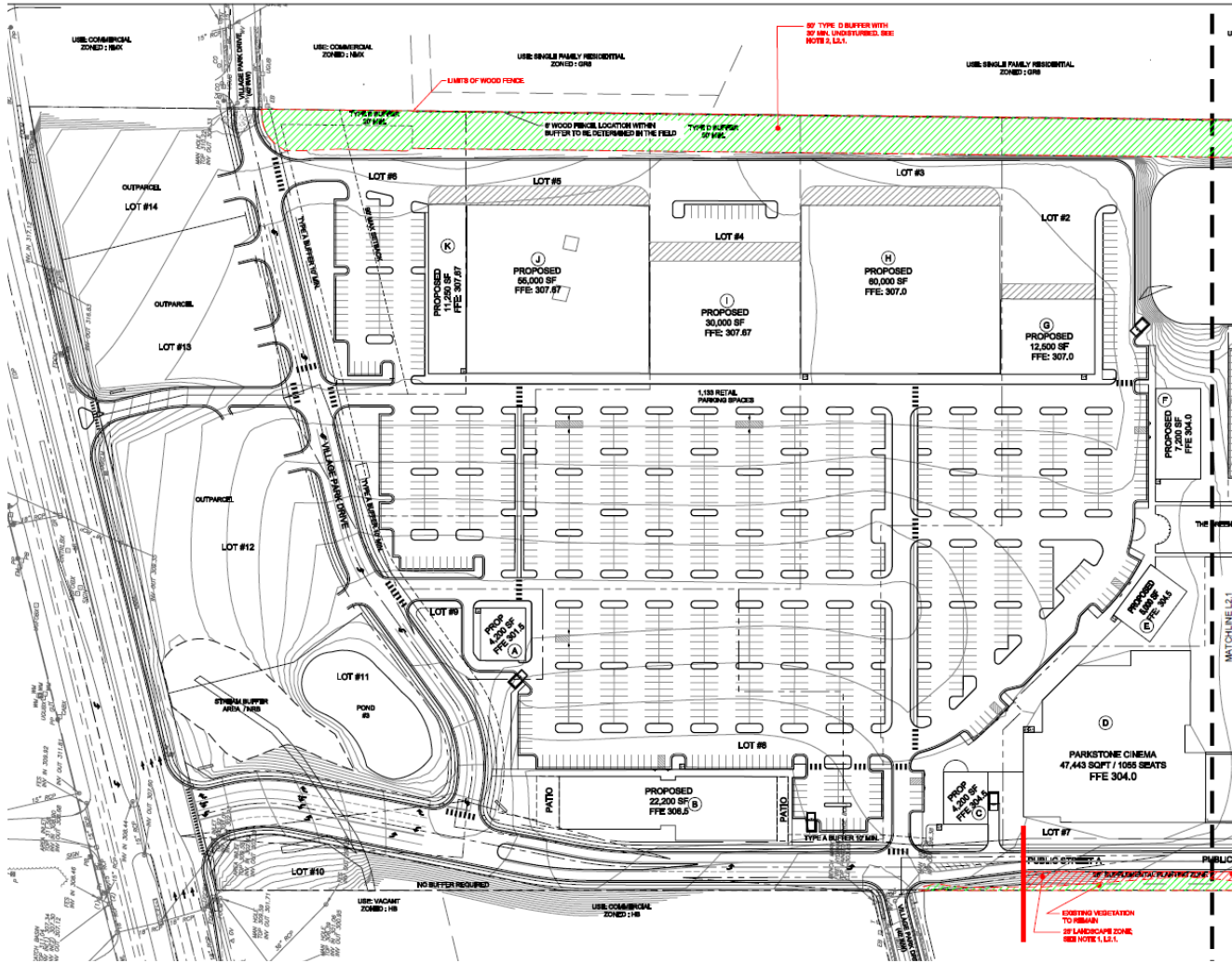


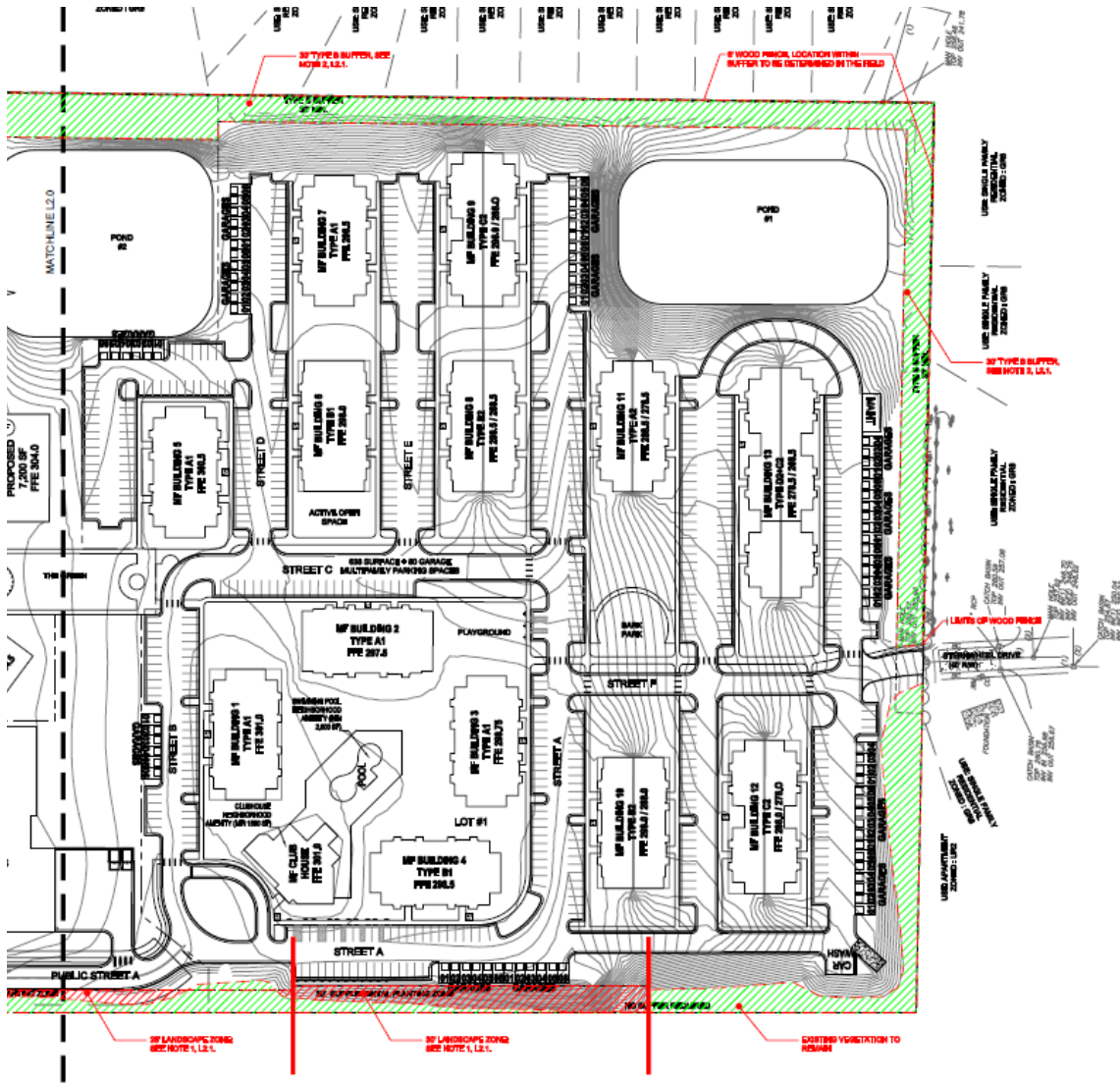




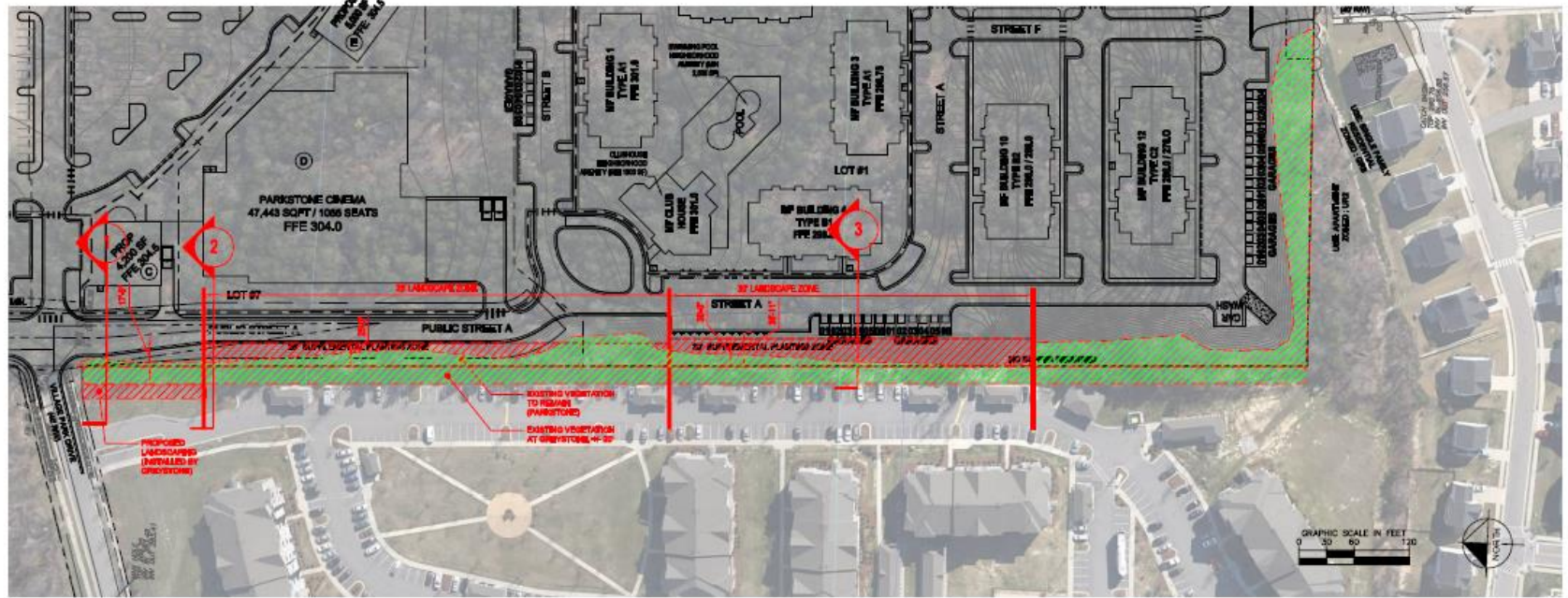
ZMA-7-16 Suggs/Hargrove's Knightdale Blvd. Property  
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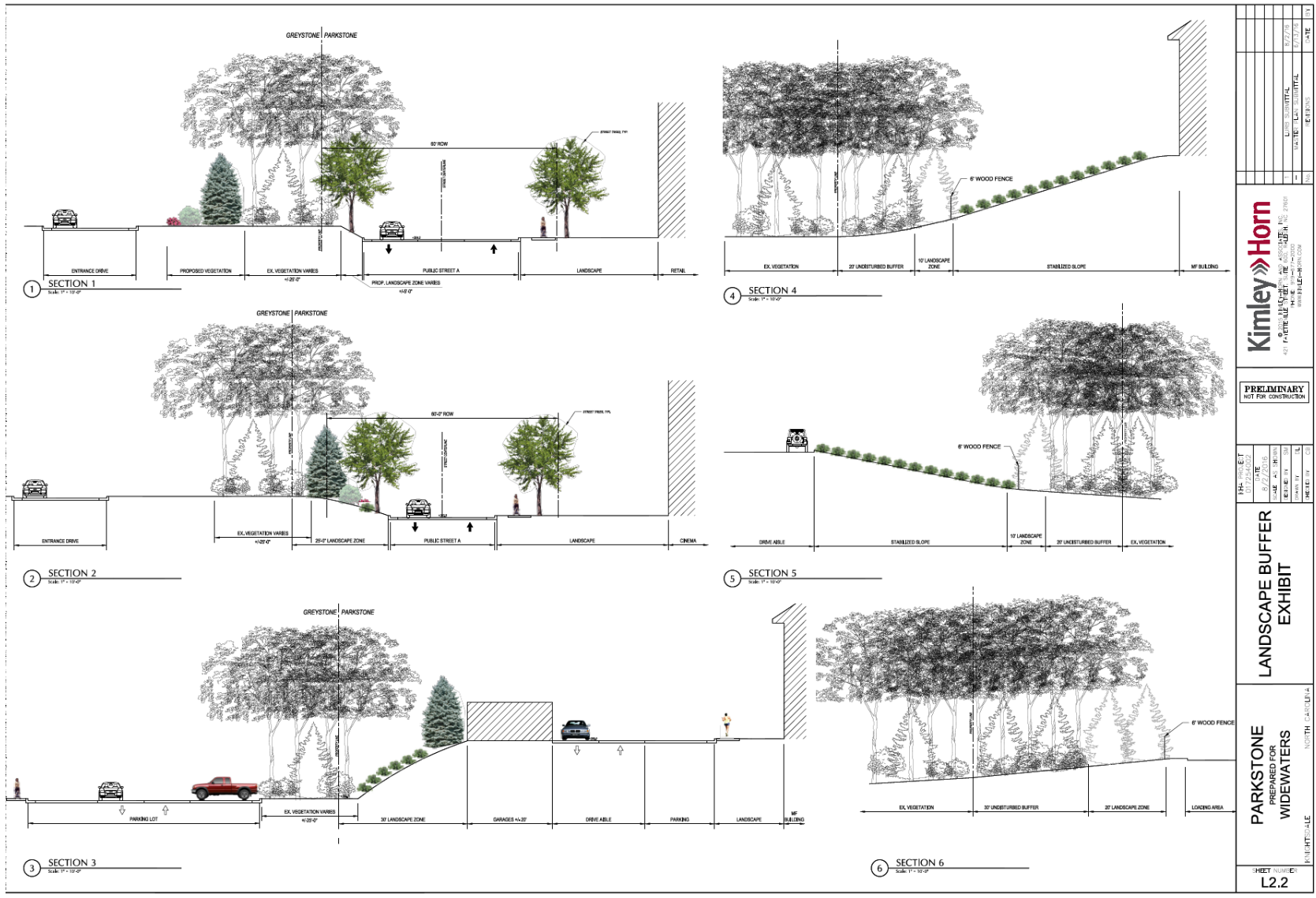
# Landscape Buffer Exhibits





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**13** SOUTHWEST ELEVATION - BUILDING E  
1/16" = 1'-0" NONE



**12** NORTHWEST ELEVATION - BUILDING E  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
401' X 14'6" = 582 SF X 0.4 = 233 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 140 SF (19%)



**11** SOUTHEAST ELEVATION - BUILDING E  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
401' X 14'6" = 582 SF X 0.4 = 233 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 130 SF (15%)



**10** NORTHEAST ELEVATION - BUILDING E  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
361' X 14'6" = 525 SF X 0.4 = 210 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 410 SF (21%)



**9** SOUTH ELEVATION - BUILDING F  
1/16" = 1'-0" NONE



**8** WEST ELEVATION - BUILDING F  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
371' X 14'6" = 538 SF X 0.4 = 215 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 140 SF (19%)



**7** EAST ELEVATION - BUILDING F  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
341' X 14'6" = 496 SF X 0.4 = 198 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 110 SF (14%)



**6** NORTH ELEVATION - BUILDING F  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
130' X 14'6" = 1,878 SF X 0.4 = 751 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 890 SF (27%)

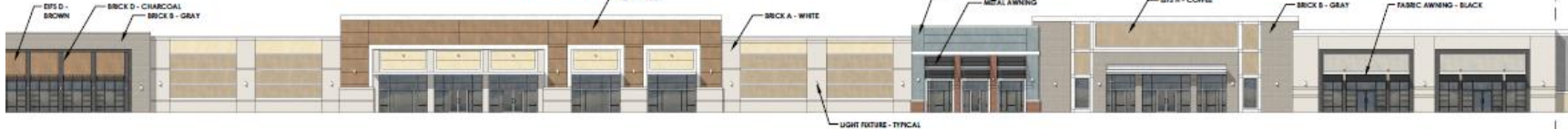


**4** SOUTH ELEVATION - BUILDING G-H  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
100' X 14'6" = 1,456 SF X 0.4 = 582 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 190 SF (14%)



**5** EAST ELEVATION - BUILDING G-K  
1/32" = 1'-0" NONE

**3** NORTH ELEVATION - BUILDING I-K  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
325' X 14'6" = 4,733 SF X 0.4 = 1,893 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 1,730 SF (50%)



**2** WEST ELEVATION - BUILDING I-K  
1/16" = 1'-0" GLAZING CALCULATIONS:  
SEE 1/A2

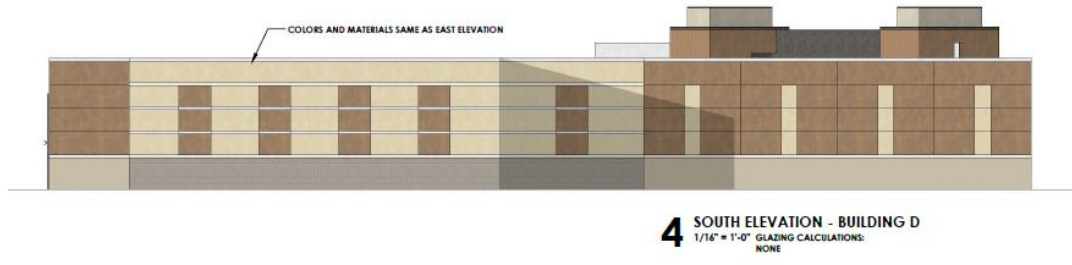
NOTE THE BACKSIDE OF ALL PARAPETS VISIBLE FROM PARKING LOTS TO BE CLAD IN BUILDING MATERIALS MATCHING EXTERIOR ELEVATIONS.



**1** WEST ELEVATION - BUILDING G-H  
1/16" = 1'-0"  
GLAZING CALCULATIONS:  
870' X 14'6" = 12,582 SF X 0.4 = 5,033 SF REQUIRED (40%)  
ACTUAL GLAZING PROVIDED: 4,000 SF (32%)



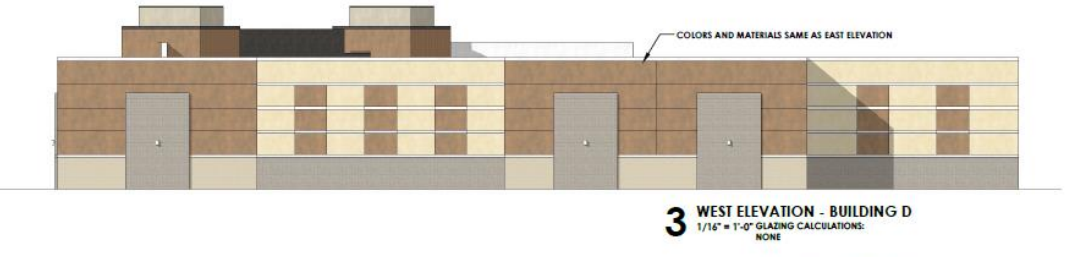
**8 WEST ELEVATION - BUILDING C**  
 1/16" = 1'-0"  
 GLAZING CALCULATIONS:  
 70'L X 14'H = 980 SF X 0.4 = 392 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 370 SF (38%)



**4 SOUTH ELEVATION - BUILDING D**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 NONE



**7 NORTH ELEVATION - BUILDING C**  
 1/16" = 1'-0"  
 GLAZING CALCULATIONS:  
 60'L X 14'H = 840 SF X 0.4 = 336 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 390 SF (46%)



**3 WEST ELEVATION - BUILDING D**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 NONE



**6 SOUTH ELEVATION - BUILDING C**  
 1/16" = 1'-0"  
 GLAZING CALCULATIONS:  
 58'L X 14'H = 812 SF X 0.4 = 325 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 310 SF (38%)



**2 EAST ELEVATION - BUILDING D**  
 1/16" = 1'-0"  
 GLAZING CALCULATIONS:  
 236'L X 14'H = 3,304 SF X 0.4 = 1,322 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 1,556 SF (47%)



**5 EAST ELEVATION - BUILDING C**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 70'L X 14'H = 980 SF X 0.4 = 392 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 540 SF (55%)



**1 NORTH ELEVATION - BUILDING D**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 NONE



**8 NORTH ELEVATION - BUILDING A**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 NONE



**7 EAST ELEVATION - BUILDING A**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 60'L X 14'H = 840 SF X 0.4 = 336 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 160 SF (19%)



**6 WEST ELEVATION - BUILDING A**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 59'L X 14'H = 826 SF X 0.4 = 330 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 124 SF (15%)



**5 SOUTH ELEVATION - BUILDING A**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 69'L X 14'H = 966 SF X 0.4 = 386 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 480 SF (50%)



**4 WEST ELEVATION - BUILDING B**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 312'L X 14'H = 4,368 SF X 0.4 = 1,747 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 1,412 SF (32%)



**3 NORTH ELEVATION - BUILDING B**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 72'L X 14'H = 1,008 SF X 0.4 = 403 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 264 SF (26%)



**2 SOUTH ELEVATION - BUILDING B**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 75'L X 14'H = 1,050 SF X 0.4 = 420 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 430 SF (41%)



**1 EAST ELEVATION - BUILDING B**  
 1/16" = 1'-0" GLAZING CALCULATIONS:  
 312'L X 14'H = 4,368 SF X 0.4 = 1,747 SF REQUIRED (40%)  
 ACTUAL GLAZING PROVIDED: 2,364 SF (54%)





**12** BACK ELEVATION - TYPICAL GARAGE BUILDING  
1/16" = 1'-0"



**11** SIDE ELEVATION - TYPICAL GARAGE BUILDING  
1/16" = 1'-0"



**10** FRONT ELEVATION - TYPICAL GARAGE BUILDING  
1/16" = 1'-0"



**9** FRONT ELEVATION - TYPICAL 28 UNIT APARTMENT BUILDING - 2BR  
1/16" = 1'-0"



**8** FRONT ELEVATION - TYPICAL 28 UNIT APARTMENT BUILDING - 2 BR  
1/16" = 1'-0"



**7** SIDE ELEVATION - TYPICAL 28 UNIT APARTMENT BUILDING - 3 BR  
1/16" = 1'-0"



**6** FRONT ELEVATION - TYPICAL 28 UNIT APARTMENT BUILDING - 3 BR  
1/16" = 1'-0"



**5** SIDE ELEVATION - CLUBHOUSE BUILDING  
1/16" = 1'-0"



**4** FRONT ELEVATION - CLUBHOUSE BUILDING  
1/16" = 1'-0"



**3** FRONT ELEVATION - TYPICAL 12 UNIT APARTMENT BUILDING - 3 BR  
1/16" = 1'-0"



**2** SIDE ELEVATION - TYPICAL APARTMENT BUILDING - 3 BR  
1/16" = 1'-0"



**1** FRONT ELEVATION - TYPICAL 24 UNIT APARTMENT BUILDING - 3 BR  
1/16" = 1'-0"