



TOWN OF KNIGHTDALE

Land Use Review Board

7:00 pm

Monday, April 13, 2015

950 Steeple Square Court, Council Chambers

Knightdale, NC 27545

Minutes

I. CALL TO ORDER

Vice Chairman Mr. Richie Narron **called** the meeting to order at 7:07 pm.

II. ROLL CALL

The following members were present:

LURB Members Present: Pete Mangum, George Hess, Chuck Piratzky, Stephen Morgan, Richie Narron, Rita Blackmon, Richard Godwin, Alice Alexander, Michael Blake

LURB Members Absent: None

Town Council Members Present: Councilor Tripp, Councilor Sawm, Councilor Young

Staff Members Present: Jason Brown, Matt Christian, Chris Hills

Attorney Present: Clyde Holt

Former Chairman Doug Taylor thanked his fellow LURB members for their service shaping the development of the community. Mr. Taylor also welcomed the new members to the board.

Mr. Hills introduce new members Rita Blackmon, Richard Godwin and Alice Alexander, and thanked them for volunteering to serve on this board. Mr. Hills introduced Jason Brown, noting that he is a very valuable addition to our team. Mr. Hills provided a brief overview of term limits of LURB members given the new members and the required appointments. The Board is required to select a chairperson, a vice chairperson, quasi-judicial members representing the incorporated area, and quasi-judicial members representing the extra territorial jurisdiction.

First, Vice Chairman Narron prompted the board to nominate a chairperson. Mr. Blake nominated Mr. Mangum to serve as Chairman of the Board; Mr. Hess nominated Mr. Narron. Seeing no further nominations the board voted to appoint a chairperson. Ms. Blackmon, Mr. Godwin, Mrs. Alexander, Mr. Blake, and Mr. Mangum voted to appoint Pete Mangum as Chairman to the LURB. Mr. Hess, Mr. Piratzky, Mr. Morgan, and Mr. Narron voted to elect Richy Narron as Chairman to the LURB. Five votes were cast for Pete Mangum and four votes were cast for Richy Narron. Therefore, Mr. Mangum was appointed as Chairman of the LURB.

Next, Mr. Mangum prompted the board to nominate a vice chairperson. Mr. Narron nominated Mr. Morgan to serve as vice chair; Mr. Morgan nominated Mr. Blake. Seeing no further nominations the board voted to appoint a vice chairperson. Ms. Blackmon, Mr. Godwin, Mr. Hess, and Mr. Narron voted to nominate Stephen Morgan. Mr. Piratzky, Mr. Morgan, Mr. Mangum, Mrs. Alexander, and Mr. Blake voted to nominate Michael Blake. Four votes were cast for Stephen

Morgan, and five votes were cast for Michael Blake. Therefore, Mr. Blake was appointed as Vice Chairman of the LURB.

The next item is the appointment of the five members of the LURB who will serve as Board of Adjustment members. In-town residents must occupy three of these seats, and ETJ residents must occupy two of these seats. For the two ETJ seats on the Board of Adjustment, Mr. Hess and Mr. Blake were nominated. For the three in-town seats, Mr. Morgan, Ms. Blackmon and Mr. Narron were nominated.

Seeing no further nominations, Mr. Piratzky made a motion to nominate QJ members as selected by the board. Mr. Morgan seconded the motion. The motion passed unanimously.

III. ADOPTION OF THE AGENDA

...Mr. Hess moved to adopt the agenda for the April 13, 2015 meeting. Mr. Piratzky seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES

...Mr. Morgan moved to approve the Legislative portion of the minutes from the April 13, 2015 meeting as presented. Mr. Hess seconded the motion. The motion passed unanimously.

V. PUBLIC HEARINGS FOR QUASI-JUDICIAL CASES

VI. ORDERS FOR QUASI-JUDICIAL CASES

VII. RECESS

VIII. COMMUNITY APPEARANCE CASES

IX. TREE PROTECTION AND PLANTING CASES

A. Arbor Day/Street Tree Planting Update

Town Council has declared Arbor Day to be Friday, April 17. This is our 14th year as a part of Tree City USA which we are very proud of. Mr. Hills explained that in order to be a Tree City, the Town must have a tree ordinance, a tree board, and spend a certain amount per-capita on tree maintenance and installation. Our street tree plan is being implemented currently at the Knightdale Blvd./I-540 intersection. Mr. Hills invited members of the board to attend the celebrations on Friday afternoon. At the event, the town will receive its recertification package and an art contest will be judged. Awards will be present to children from local schools. All winners will receive a tree.

X. OLD BUSINESS

XI. NEW BUSINESS

A. ZMA-2-15 – First Avenue Parcels

Before discussion of ZMA-2-15, Mr. Mangum made a motion to recuse himself. Although he is not the applicant in this case, he owns three parcels of land affected by the re-zoning. Mr. Hess seconded the motion. The motion passed unanimously.

Mr. Jason Brown introduced ZMA 2-15 as the first step for the Town to implement the Old Town Vision Plan that was introduced at the most recent Council Retreat. This map amendment proposes to rezone approximately 5.84 acres located along N. First Ave adjacent to Knightdale Station Park from Open Space Preserve (OSP & Residential Mixed-Use (RMX) to Neighborhood Mixed-Use (NMX). The Town owns all but three parcels included in this rezoning request; the remaining parcels are owned by Whitman Investment Properties

A public hearing was held on April 6, 2015. Four residents spoke in opposition to the rezoning and one resident spoke who seemed unsure about the case. This case was presented to the Old Town Advisory Committee on April 9, 2015, and was passed unanimously. Staff recommends the LURB to approve the rezoning request in support of the Comprehensive Plan.

Mr. Godwin asked if this case is a conditional use re-zoning request where the LURB will have input in future steps. Mr. Brown explained that ZMA-2-15 is not a conditional use rezoning – it is a general rezoning. Mr. Hills added that there are no conditions on the rezoning request, but the Town happens to own a significant portion of the property being rezoned. The Town has the ability to carefully consider the any development proposals. There was further discussion about the Town's plan for how the property will be developed. Mr. Hills explained that it is unclear at this time whether the property will be sold, leased, or developed by the Town. Mr. Holt clarified that land sold by the town could possess restrictive covenants, whether by contract or deed, that dictate development must occur in a specific way. Moreover, in order to be considered a conditional district, it would need to be re-advertised as such. Mr. Holt concluded by noting it is the announced intention that this property would be developed in accordance with the Town Council's vision for the site.

Some members of the board asked to see the Old Town Vision Plan presented at the most recent Council Retreat. Mr. Hess objected to viewing the concept plan because it is not relevant the specific question being presented to the board.

Mr. Piratzky asked if this property was recently rezoned. Mr. Hills explained some of the property was rezoned with the purchase of the park property an adjacent parcel was rezoned to OSP in accordance to the plan at the time.

Mr. Morgan asked for some clarification on the choice rezone this parcel NMX instead of RMX. Mr. Brown explained that the difference between RMX and NMX is a couple uses. Furthermore, the Comprehensive Plan encourages a mixture of uses and NMX greatest variation of uses.

Mr. Narron expressed some concern of transitioning from a T1 intensity of uses to T5. Mr. Hills addressed this comment by suggesting the T1 classification is out of place, and the T5 classification is more in-line with the nearby activity centers established by the Comprehensive Plan. Furthermore, the buffer required from NMX to OSP is most dense, except when a right-of-way intervenes.

There was some additional discussion about individual concerns of future rezoning and how the Town can maintain control of the development. Mr. Hills recommended the board incorporate their concerns into their motion.

Vice Chairman Blake welcomed comments from the public at this time. Mike Marsh, resident of 101 Second Ave., stated that he is reluctant to support the rezoning case. He went on to say that the Town keeps changing what it wants it to be, and he would ask them to put their conditions in writing.

Myron Kelly, resident of 409 Third Ave., spoke against the rezoning request. He stated that he supported the park and is very proud of what has been built so far. However, he is opposed to OSP to NMX because it changes the plan – nothing was ever mentioned that the Town was going to do anything with this land other than a park. He requested that the LURB recommend keeping the parcels zoned OSP.

Pete Mangum, resident of 605 N First Ave., spoke in support of this request. Mr. Mangum owns three of the parcels being rezoned and is committed to the revitalization of Old Town. Mr. Mangum encouraged the board to consider the opportunity that this rezoning offers to contribute to the success of Knightdale Station Park.

Mr. Piratzky asked Mr. Mangum if he was at the most recent OTAC meeting, and for any insight into their recommendation. Mr. Mangum affirmed that he was present as the LURB liaison. The case was approved because of the multiple benefits listed in the staff report. Now that the park is complete and drawing the numbers of people that support this type of development, NMX zoning supports this growth.

Mr. Hills added that the OTAC vote passed unanimously by way of 2 yays and 2 abstentions. Abstentions become yays, making the vote unanimous.

Mr. Hess stated that he does not think this rezoning is a good idea. He added that there is very little OSP and addressed a perceived lack of trust with the Town. He referred other recent rezoning cases, and how he believes these actions reflect poorly on the town.

Before the board made a motion, Mr. Narron expressed his concern about the height of the building and the view of the park. He added that he generally supports the development that has occurred in and around the park, but he wants to make sure the future is carefully considered.

Mr. Blake commented that as a citizen, he enjoys going to the park with his kids, and he thinks the rezoning would be beneficial.

Mr. Morgan stated that a conditional zoning seems appropriate, because he believes this board need assurances that the site plan conforms to the zoning.

Mr. Morgan moved that while this proposal is consistent and reasonable with the comprehensive plan, this body prefers to see a conditional district zoning application and recommends the denial of this application. Mrs. Alexander Second seconded the motion. Only Mr. Narron, Mr. Hess, and Mr. Blake opposed the motion. The motion passed with a vote of 5 to 3.

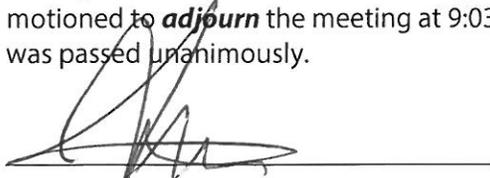
XII. OTHER BUSINESS

A. Citizens Planning Academy

Mr. Hills reminded the members of the board that the Citizen's Planning Academy begins tomorrow. There are still open seats so if you have not already confirmed your attendance to reach out if anyone would like to attend.

XIII. ADJOURNMENT

Having reached the end of the evening's agenda and hearing no further discussion, Mr. Hess motioned to **adjourn** the meeting at 9:03 p.m. Mr. Godwin seconded the motion and the motion was passed unanimously.



Attest, Chairman of the Land Use Review Board, Pete Mangum



Clerk to the Land Use Review Board, Matt Christian