



KNIGHTDALE LAND USE REVIEW BOARD MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

August 8, 2016

The Knightdale Land Use Review Board Committee met at 7:00 p.m. in the Council Chamber Room of Town Hall.

LURB MEMBERS PRESENT:

George Hess, Chuck Piratzky, Alice Alexander,
Michael Blake, Rita Blackmon, Richard Godwin,
Randy Jones, Ben McDonald

TOWN COUNCIL MEMBERS PRESENT:

Councilor Tripp

ABSENT:

Stephen Morgan

Attorneys Present:

David York and Katye Jobe, Town Attorneys; John
Silverstein, Board Attorney

Staff Members Present:

Chris Hills, Development Services Director;
Jennifer Currin, Assistant Development Services
Director; Jason Brown, Senior Planner Long Range;
Matthew Christian, Planner; Donna Tierney,
Planning Technician

Meeting called to order by Chairman Hess at 7:05 p.m.

ITEM I. ADOPTION OF AGENDA

...Motion by Mr. McDonald to adopt the agenda. Motion seconded by Mr. Godwin and carried unanimously.

ITEM II. CHAIRMAN'S COMMENTS

None at this time.

ITEM III. APPROVAL OF MINUTES

...Motion by Ms. Blackmon to approve the minutes of July 11, 2016. Motion seconded by Mr. Godwin and carried unanimously.

ITEM IV. PUBLIC HEARINGS FOR QUASI-JUDICIAL CASES

VAR-4-16 StoneRiver

The Board entered the Board of Adjustment session.
(See Minutes of the August 8, 2016 Quasi-Judicial Session)

ITEM V. ORDERS FOR QUASI-JUDICIAL CASES

None at this time.

ITEM VI. COMMUNITY APPEARANCE CASES

None at this time.

ITEM VII. TREE PROTECTION AND PLANTING CASES

None at this time.

ITEM VIII. OLD BUSINESS

None at this time.

ITEM IX. NEW BUSINESS

A. ZMA-4-16 Old Knight Road Rezoning

Assistant Development Services Director Jennifer Currin announced that the applicant requested that the case be tabled until the September 12, 2016 LURB meeting.

B. ZMA-5-16 Robertson Street Rezoning

Assistant Development Services Director Jennifer Currin explained to the Board that staff received an application from Lee Lambert requesting a Zoning Map Amendment to rezone 28.13 acres located east of Keith St., north of Robertson St., and south of the railroad, and identified by the Wake County PINs 1754.15-63-5524, 1754.15-53-9404, 1754.15-53-7747, 1754.15-53-9814, and 1754.15-63-0926. The specific request is to rezone the property from Residential Mixed Use (RMX) to Residential Mixed Use Planned Residential Development (RMX PRD) for a single-family residential development.

Ms. Currin reviewed the proposed voluntary neighborhoods standards and explained how the plan was both consistent and inconsistent with the Comprehensive Plan.

Ms. Currin explained that by law, the Board must adopt a statement of plan consistency and reasonableness of action with their action. The Development Services Department recommends that the Land Use Review Board recommend denial of ZMA-5-16 and forward the following advisory statement and to the Town Council: *“The proposed zoning map amendment is inconsistent with the comprehensive plan overall design guideline of enhancing a “sense of place” or promote a compact mix of uses in Knightdale and near Old Town. Furthermore, it is inconsistent with the urban village design district objective of providing a variety of significant passive and active recreational amenities. It is further inconsistent by not incorporating mixed-use development (horizontally or vertically) within the development and not incorporating on-street parking into the project designs.”*

Mr. Jones stated he might need to recuse himself since the property owner is married to his mother’s first cousin. He decided not to recuse himself after Town Attorney David York explained that it was not necessary if he does not have a financial interest in the property.

The applicant, Lee Lambert, compared the original and revised design. While the original plan shows a road around the development and all alley-loaded product, the new plan shows both 40 and 60-foot wide lots with both front and rear load garages. They have also added over \$60,000 of active and passive amenities and claimed they have addressed all other issues in a positive way. He stated there was confusion on the due date for revisions, and submitted them on the last day which did not leave time for staff to review them.

Development Services Director Chris Hills confirmed that the revised sketch plan was not included in the staff report.

Jamie Guerrero of Morris & Ritchie Associates of NC, PC further explained the initial concept plan showed houses fronting courtyard space, but seeking staff approval, a more traditional subdivision layout with a mixture of lot sizes was proposed. Additionally, they improved connectivity between Robertson Street and Keith Street, and added a greenway connection along the river buffer to Robertson Street. *See ZMA-5-16 Applicant Exhibit A.*

Since the supplemental material was not included in the Board's staff report, Mr. Lambert requested continuing the case until the September 12, 2016 LURB meeting.

...Motion by Ms. Alexander to recommend continuing ZMA-5-16 Robertson Street rezoning. Motion seconded by Ms. Blackmon and carried unanimously.

C. ZMA-2-16 SilverStone Rezoning

Senior Planner Jason Brown explained to the board that staff received an application from Arcaterra Land, LLC requesting a Zoning Map Amendment to rezone five parcels, comprising approximately 149 acres located south of the Cheswick neighborhood, east of the Neuse River and west and adjacent of Hodge Road and identified by the Wake County PINs 1733-91-9712, 1743-31-0841, 1743-32-0076, 1743-32-0167, and 1743-32-0259. The specific request is to rezone the property from General Residential-8 (GR-8), Neighborhood Mixed-Use (NMX), Highway Business (HB), and Residential Mixed Use (RMX) to General Residential-8 Planned Residential Development (GR-8 PRD) and Neighborhood Mixed Use (NMX) for single-family residential development.

The applicant has provided conditions including, but not limited to design, landscaping, and signs. Additionally, the applicant has requested a design exemption from Section 6.2(B) of the Unified Development Ordinance to allow grading of the site outside of the proposed right-of-way. Mr. Brown reviewed the proposed design guidelines and dimensional standards and explained how the plan was both consistent and inconsistent with the Comprehensive Plan.

Mr. Brown explained that by law, the Board must adopt a statement of plan consistency and reasonableness of action with their action. The Development Services Department recommends that the Land Use Review Board recommend approval of ZMA-2-16 and forward the following advisory statement and to the Town Council: *"The proposed zoning map amendment is consistent with the Comprehensive Plan's overall design objectives and guidelines of creating a sense of place, preserving open space, and providing significant and varied recreational amenities. The zoning map amendment is further reasonable as it promotes the urban village and neighborhood design district goals of ensuring compatible development and pedestrian friendly streets."*

On behalf of Arcaterra Land, LLC, attorney Andy Petesch with Petesch Law spoke about the subdivision's connectivity, amenity, community space gazebos, traffic flow improvements, greenway easement, community agriculture if feasible, and natural walking trails if permitted by the Division of Water Resources.

Vice Chairman Piratzky inquired further about the neighborhood farms. Mr. Petesch answered there is currently one in Durham and other examples across the nation.

Sunny Myers of 1306 Ranchester Road clarified that the person who spoke in favor of the development during the public hearing was someone whose house is being purchased by the developer. Her main concern is the traffic, especially when added to the adjacent proposed 1 million square foot industrial park and StoneRiver subdivision. She asked that a decision be delayed until it is determined what becomes of the area regarding the 540 ramp.

Pablo Reiter stated that the TIA would include the mentioned projects as background and clarified that the new exit on Hodge Road will be a full movement, signalized intersection. He further stated that they have the same livability concerns as the residents.

John Spinks of 1312 Gaby Lane estimated that after both sites are developed, approximately 2,400 cars will be in the neighborhood, and the majority will turn left out of Cheswick due to highway location. The additional roads will help but not fully.

Michael Peaden of 1006 Dillon Lake Drive stated that he and his wife are excited about the development and its potential connectivity to the greenway, addition of roads for walking, and extra entrances and exits.

Cher Coleman of 1306 Gaby Lane expressed concern that the townhome residents will go through Cheswick when exiting the neighborhood. She is also concerned that a section of SilverStone is not connected to the rest of SilverStone and those residents will have to enter and exit through Cheswick.

Board members discussed the location and number of townhouses in the project, and were reminded that the rezoning is for a general use, not a specific plan. Vice Chairman Piratzky believes adding traffic to Hodge Road is a valid point, but does not know how the board can address it due to limited access to the site.

...Motion by Ms. Alexander to recommend approval of ZMA-2-16 SilverStone rezoning, finding that it is consistent with the comprehensive plan, and to forward staff's written advisory statement to the Town Council, while noting concern for possible traffic conditions created by the development. Motion seconded by Mr. McDonald and carried by a 7:1 vote. Mr. Godwin voted in opposition.

D. CPA-1-16 Comprehensive Plan Amendment – Sternwheel Way

Vice Chairman Piratzky announced that he would like to recuse himself from CPA-1-16 and ZMA-7-16 due to a business conflict.

...Motion by Mr. McDonald to recuse Vice Chairman Piratzky from CPA-1-16 and ZMA-7-16. Motion seconded by Ms. Alexander and carried unanimously.

Senior Planner Jason Brown explained staff received a request from Knightdale Development Ownership, LLC to amend the Town of Knightdale Comprehensive Plan, specifically the Transportation Master Plan, including amendments to the Arterial & Collector Street Plan and Functional Class Plan, to remove the requirement to provide a local street connection to Sternwheel Way. He further stated that during previous rezoning cases it became evident that immediately impacted residents did not support the Sternwheel Way connectivity. Further, a draft TIA has been completed and indicated that

the Sternwheel Way connection would likely draw 16 AM peak hour trips and 29 PM peak hour trips.

Mr. Brown explained that by law, the Board must adopt a statement of plan consistency and reasonableness of action with their action. The Development Services Department recommends that the Land Use Review Board recommend approval of CPA-1-16 and forward the following advisory statement and to the Town Council: *“The proposed Comprehensive Plan Amendment is reasonable as it addresses the criteria for a Transportation Plan Amendment specifically it promotes public health and safety by providing emergency access and pedestrian access, it fulfills the Town’s obligation to provide facilities and services as there are numerous north/south connections in near vicinity and the projected traffic on this road connection is minor. It increases the efficiency of existing facilities, and conforms to the goals and objectives of the master plan, specifically in providing a pedestrian connection aimed at reducing vehicle miles traveled.”*

Chairman Hess requested clarification that no matter how the northern track is developed, the connection generates very few trips. Mr. Brown confirmed and stated the TIA was based on a mixed-use development. The trips generated from the TIA come from a small catchment area of existing homes in the surrounding area, not proposed development.

...Motion by Mr. Godwin to recommend approval of CPA-1-16 Sternwheel Way, finding that it is consistent with the comprehensive plan, and to forward staff’s written advisory statement to the Town Council. Motion seconded by Ms. Alexander and carried unanimously.

E. ZMA-7-16 Suggs Hargrove Property Rezoning

Assistant Development Services Director Jennifer Currin explained to the Board that staff received an application from Knightdale Development Ownership, LLC requesting a Zoning Map Amendment to rezone approximately 56.83 acres located south of Knightdale Blvd., and east and west of Village Park Dr. and identified as Wake County PIN 1744.04-84-3240. The specific request is to rezone the 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) in order to develop the property as a 260,000± SF shopping center and 350 unit multi-family development.

Ms. Currin stated the Unified Development Ordinance (UDO) requires a Conditional District rezoning approval for a community shopping center, and the applicant voluntarily submitted a conditional district rezoning for the multi-family development. Additionally, Ms. Currin went over the UDO exception requested by the applicant.

Public concerns, permissible uses removed by the applicant, buffer requirements, and roadway improvements were enumerated. Additionally, Ms. Currin explained how the plan was both consistent and inconsistent with the Comprehensive Plan.

Ms. Currin explained that by law, the Board must adopt a statement of plan consistency and reasonableness of action with their action. The Development Services Department recommends that the Land Use Review Board recommend approval of ZMA-7-16 and forward the following advisory statement and to the Town Council: *“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."

Mr. McDonald inquired if anything is prohibiting the applicant from locating the proposed front parking in the back. Ms. Currin answered that parking was included in the front based on storefront entrances, and the south side will likely be used for dumpster access.

Chairman Hess inquired why wood fences are prohibited and why staff is proposing allowance. Ms. Currin explained commercial projects typically use aluminum, but aluminum would not provide the same level of screening as wood. Additionally, the wood fence will help address potential trespassing concerns expressed during the public hearing.

Board members and staff discussed the monument sign and neon light exceptions.

Chris Bostic of Kimley-Horn and Associates, Inc. addressed Chairman Hess' question regarding the grade between the commercial site and neighborhood to the east. Mr. Bostic explained the grade change ranges from five to 12 feet. In addition, the neighbors will see landscaping at eye level of 5-6 ft.

Thomas Shepherd of 1201 Pine Forest Trail stated the residents of The Woods of Parkside love their wooded, secluded neighborhood. He advocated that the developer build an 8 ft. wall, 12-16 inches thick in density, made of acoustically sound materials instead of the proposed fence. He stated he is not opposed to the development, but is very concerned with the subdivision's proximity and the added noise.

Parrill Forbes of 902 Pine Forest Trail expressed concern with the noise created by large trucks making deliveries, and garbage trucks in the dumpster enclosure.

Matilda Hughes of 501 Pine Forest Trail stated the trees as a natural buffer and she would like to keep as many as possible in order to muffle noise.

Rita Rakestraw of 615 Jumping Frog Lane and 1002 Azalea Cottage Court voiced concern that the development will reduce property values in the adjacent subdivisions. She would like to see the buffer requirements changed from 30 to 80 ft., placement of the fence behind the vegetation, and a portion of the apartments set aside for low income seniors.

Michael Vaughn of 605 Pine Forest Trail expressed his concerns with the anticipated blasting. The majority of neighboring houses are slab foundations, and they can already feel the quarry blasts. His main objective is that the developer provides a larger buffer.

Robert Gage, managing partner of the Greystone Apartments, stated that while a buffer is not required between the two sites, the applicant has been willing to provide one on the

westerly side. He spoke in favor of the development and his appreciation of the applicant's effort to keep the buffers.

Attorney Mike King, from K&L Gates, spoke on behalf of the developer, Knightdale Development Ownership, LLC, stating they are working closely with Town staff to address residents' concerns. They are increasing the buffer on the eastern line, providing a 30 ft. undisturbed Type B buffer on the Highway Business zoned portion, have increased the 20 ft. required buffer to 30 ft., and have set a performance standard to revegetate so that buffers constitute opaque buffers. He further stated that their proposal is less intense commercially from the plan submitted in 2006, and believes it creates a sense of place, and connects multifamily to commercial development. Lastly, he stated the developer has met with Wake Stone Corporation and addressed their driveway and traffic concerns.

Discussion took place regarding grading of the slope and how it would affect the buffer. Mr. Bostic stated the first 30 ft. will not be graded and the 20 ft. interior would be revegetated. The slope will be replanted so that it is an opaque buffer.

Jeanne Hansen of 109 Valley Park Drive expressed her concern with the amount of apartment units in the project. She asked that the Town consider requiring a section be privately owned condominiums to reduce the number of transient people in the apartments. Ms. Hansen also expressed concern for potential Zika Virus caused by the runoff ponds. With the exception of these concerns, she is pleased with the proposal.

Brian Long, Director of Development for The Widewaters Group, assured the Board they do not have a deaf ear to concerns of local residents. Buffers will be saved where possible, or they will be added back and revegetated.

Board members discussed their preference for buffers to be undisturbed, requested clarification on drainage, and expressed concern on the neon lights and wooden fence.

...Motion by Mr. McDonald to recommend approval of ZMA-7-16 Suggs Hargrove Property rezoning 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 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. Motion seconded by Mr. Godwin and carried unanimously.

ITEM X. OTHER BUSINESS

Development Services Director Chris Hills announced that Jennifer Currin was recently promoted to Assistant Development Services Director, and Matthew Christian was promoted to Planner from Planner/Code Enforcement Officer.

ITEM XI. PAST COUNCIL ACTION

ITEM XII. ADJOURNMENT

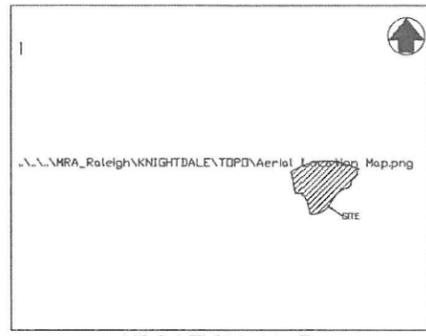
...Motion by Ms. Blackmon to adjourn 10:49 p.m. Motion seconded by Mr. McDonald and carried unanimously.



George Hess, Land Use Review Board Chairman



Donna Tierney, Planning Technician



LOCATION MAP

SITE DATA - VILLAGE AT KNIGHTDALE STATION

- PROJECT TITLE/NAME: VILLAGE AT KNIGHTDALE STATION
ADDRESS: ROBERTSON STREET
KNIGHTDALE, NORTH CAROLINA
- OWNER INFORMATION:

OWNER	INC. FILE #	ACREAGE
WAYNE L. HARPER	1754635524	16.98A
EUGENE J. HARPER	1754537747	2.97A
4113 BREWSTER DRIVE	1754630926	0.16A
RALEIGH, NC 27606	1754530404	7.56A
WABE KEITH	1754530814	0.46A
JAMES H. KEITH		
517 WILSON ROAD		
FUQUAY-VARINA, NC 27526		
- DEVELOPER: RB HOME
4509 S. WAMAM BOULEVARD
STE. 100
DURHAM, NC 27703
- ZONING INFORMATION: PRESENT ZONING: RMX
PROPOSED ZONING: PRO-RMX
- LAND USE INFORMATION: PRESENT USE: AGRICULTURAL/RESIDENTIAL
PROPOSED USE: RESIDENTIAL
- NET DEVELOPMENT COMPUTATIONS:

TOTAL SITE AREA =	28.13 AC ±	60' LOTS:	25
TOTAL FEDERAL 404/401 WETLANDS =	UNDETERMINED	40' LOTS:	42
TOTAL ROADS R.O.W. =	2.30 AC ±	TOTAL:	65

ALLOWABLE DENSITY: 18 UNITS X 28.13 AC = 506 UNITS
PROPOSED DENSITY: 6.5 UNITS
GROSS: 387 UNITS / 28.13 AC ± = 13.8 UNITS/AC ±
G.S. 2.5'
- WATER SERVICE: CITY OF RALEIGH
- SANITARY SERVICE: CITY OF RALEIGH
- THIS SITE IS NOT AFFECTED BY THE 100 YEAR FLOODPLAIN AS DEPICTED BY THE FEMA MAP NO. 3720175400J
- WETLAND LIMITS AND STREAM DETERMINATIONS HAVE NOT BEEN PERFORMED. MRA MAKES NO REPRESENTATION AS TO THE ACCURACY OF THE SAME.
- BOUNDARY AND TOPOGRAPHICAL SURVEY HAS NOT BEEN PERFORMED. BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM AVAILABLE TAX MAPS. MRA MAKES NO REPRESENTATION AS TO THE ACCURACY OF THE SAME.
- BULK AREA REQUIREMENTS:

SINGLE FAMILY DETACHED HOMES:

SETBACKS -

FRONT: 10' MIN

SIDE: 20% OF LOT WIDTH

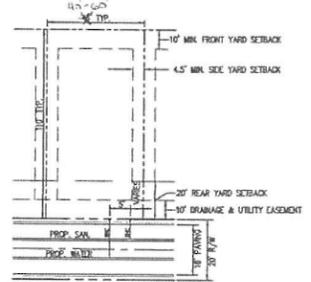
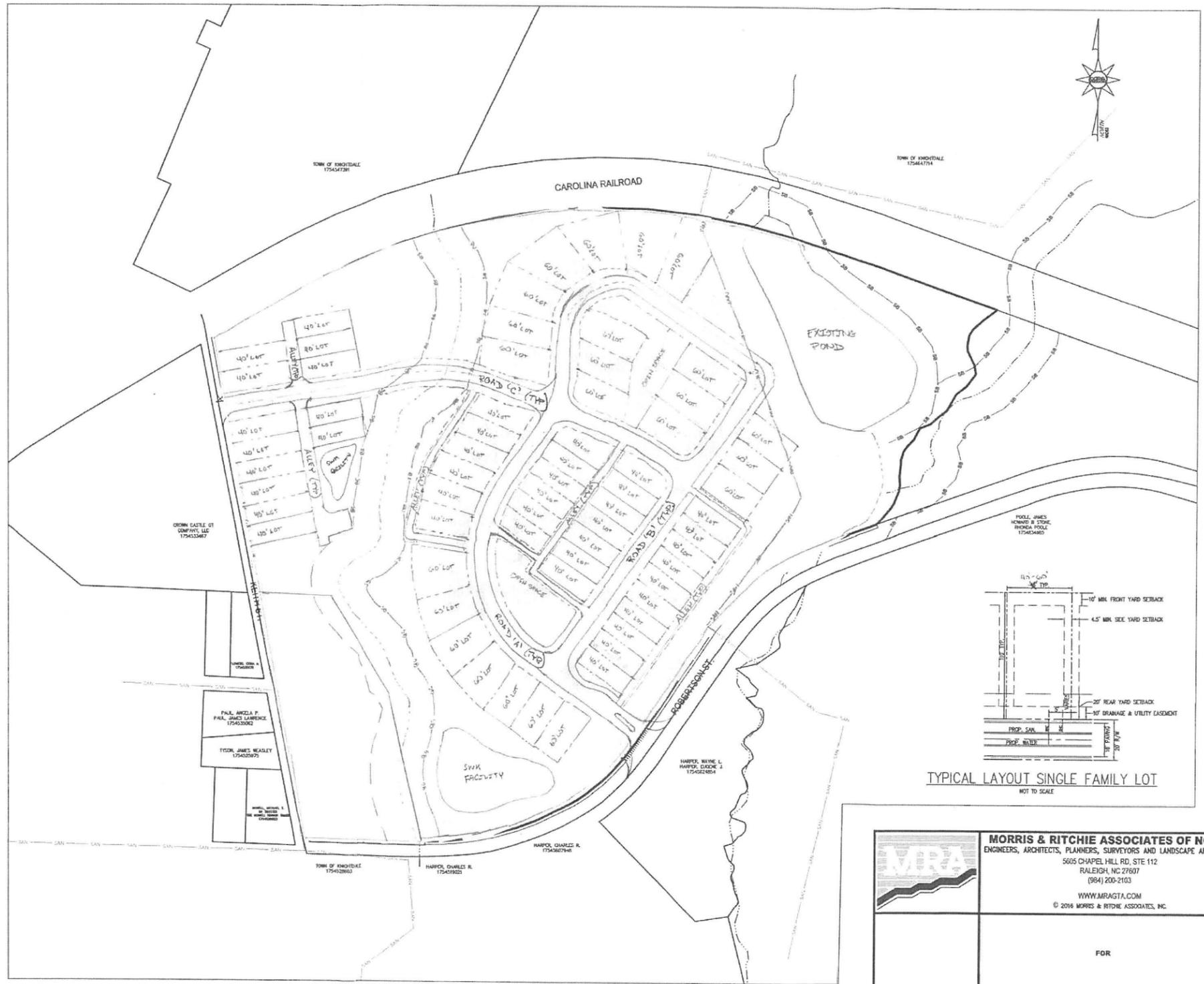
REAR: 15' FROM CENTERLINE OF ALLEY

LOT WIDTH: 30' MIN

LOT DEPTH: N/A

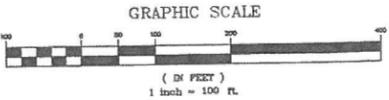
LOT AREA: N/A

PARKING REQUIRED: 1.0 PER BEDROOM
UP TO 2.0 PER UNIT
- RECREATION OPEN SPACE DEDICATION (UDO SEC. 7.3)
ALL UNITS WITHIN 1/4 MILE OF PARK
RECREATION OPEN SPACE REQ'D FOR GROSS DWELLING UNITS PER ACRE (2.48 UNITS/AC) = 260 SQ. FT. / BEDROOM
< 5.20 UNITS X 1.5 BEDROOMS/UNIT = 848 BEDROOMS / 277-277
277 848 BEDROOMS X 260 SQ. FT./BEDROOM = 63,700 SQ. FT.
(1.48 AC OR 8.8% OF TOTAL AREA) 54,120
1.35 AC = 4.87%



TYPICAL LAYOUT SINGLE FAMILY LOT
NOT TO SCALE

- LEGEND:**
- TRACT BOUNDARY PER AVAILABLE PUBLIC INFORMATION
 - EXISTING ROAD
 - EXISTING TREE LINE & COVER
 - APPROXIMATE STREAM BUFFER
 - EXISTING SANITARY SENSER
 - APPROXIMATE WATERS OF THE U.S.
 - RESIDENTIAL LOT LINE
 - RIGHT OF WAY
 - BUILDING SETBACK
 - DRAINAGE AND UTILITY EASEMENT
 - CENTERLINE OF ROAD
 - PROPOSED WOODS LINE
 - COMMON GRASS AREA



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FOR

ENGINEER'S SEAL		JOB NO.:
DATE	REVISIONS	SCALE:
		DATE:
		DRAWN BY:
		DESIGN BY:
		REVIEW BY:
		SHEET: