



TOWN OF KNIGHTDALE

Land Use Review Board

7:00 pm

Monday, May, 11, 2015

950 Steeple Square Court, Council Chambers

Knightdale, NC 27545

Minutes

I. CALL TO ORDER

Chairman Mr. Pete Mangum **called** the meeting to order at 7:03 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 Swan

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

Attorney Present: Beth Trahos

Mr. Mangum made a few comments regarding the goals and expectations of the board moving forward. The primary purpose of the LURB is to improve Knightdale, and provide valuable input to the Town Council. The second goal is to be efficient. The last goal is to be effective by using staff resources and adopted policies. Mr. Mangum also addressed how public comments should be handled, noting that it is important to accommodate citizens who want to be engaged.

III. ADOPTION OF THE AGENDA

...Mr. Hess moved to adopt the agenda for the May 11, 2015 meeting. Mr. Narron seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES

...Mr. Morgan requested a correction to the minutes, explaining that he nominated Michael Blake to be Vice Chair. Mr. Godwin made a motion to approve the minutes from the April 13, 2015 meeting noting the correction. 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

Matt Christian provided a brief update on the recent Arbor Day celebration and street tree plantings. The Arbor Day celebration was held on April 17th at the Knightdale Station Park and a commemorative tree was planted. Local school children also competed in an art contest. The winners received trees to plant and all participants received saplings. This is the Town's 14th year as a Tree City USA, which we are very proud of.

Moving on, the tree planting project along Knightdale Boulevard at the I-540 interchange was recently completed. 34 single-stem trident maples were installed along various sections of the roadway, which is a great contribution to the gateway of Knightdale. Mr. Christian thanked the board for all their hard work on the Street Tree Plan, and staff will present future projects to the LURB for their review.

X. OLD BUSINESS

XI. NEW BUSINESS

A. ZTA-1-15 – Quarterly Update

Mr. Mangum explained that there are six sections of this proposed text amendment, and each proposal will be presented by staff and discussed individually before moving on to the next section. After all six items are presented the board will make a single motion incorporating the discussion of all six items.

Mr. Brown introduced ZTA-1-15 Quarterly Text Amendment. The proposed amendments attempt to address concerns recognized by the recent developers' luncheon hosted by the Town and the results of Triangle Community Coalition survey.

1. Chapter 4.10 "Temporary Uses"

The first amendment presented was Temporary Uses. This amendment allows staff to a flexible tool for certain types of uses that are unique or seasonal. Mr. Godwin asked how these permits would be issued. Mr. Brown said these would be handled administratively, ultimately approved by the Development Services Director. Mr. Hess asked why this use was previously removed. Mr. Hills responded by explaining it was taken out in a comprehensive update of the UDO, but in some unique cases staff has observed the usefulness of a temporary use category. Mr. Hess asked how adverse impacts are determined. Mr. Hills explained it would be reviewed and decided by staff. Mr. Narron asked about examples of what staff would consider a reasonable temporary use. Mr. Brown suggested food truck operation; he also mentioned seasonal sales such as produce, pumpkins, and Christmas trees.

2. Chapter 7.6 Open Space Credits

The purpose behind this amendment is to account for large investments in small areas such as pools and clubhouses. This amendment reduces the amount of required open space by 25% active and 25% passive when a larger investment is made. The required investment would be a resort style pool or equivalent with 2,500 square feet in surface water and a clubhouse with a minimum of 1,500 square feet open to all residents.

Mr. Hess asked how the current ordinance creates disincentives. Mr. Brown said that regardless of providing an amenity center, developers are still required to improve active open space. Therefore, beyond that investment we are also asking for another playground, or another amenity center somewhere else. Mr. Morgan suggested this proposal seems to help larger subdivisions because it reduces the land area requirement by recognizing a more significant investment. Mr. Hills added staff has observed an apparent inequity between developments with

similar space requirements. We want to avoid penalizing developers who concentrating their investment in better amenities. Mr. Hess asked if staff considered only reducing active open space, since there is no other cost than the land itself. Ms. Currin said that cost is still associated with passive open space because our ordinance requires improvement of both types of open space. This is why staff chose to propose the incentive to encourage investment is active open space. Mr. Morgan would like to see clubhouses that provide several amenities within it, such as a meeting room or a kitchen. Mr. Brown said those distinctions exist within the water allocation policy. The proposed text amendment attempts to set a minimum level of what is considered open space.

3. 2.3C(4) Bars/Taverns/Night Clubs in NMX and TC

This text amendment changing Bars/Taverns/Nightclubs to permitted in the Neighborhood Mixed-Use and Town Center zoning district. Currently this use category is permitted subject to additional standards. One of the additional standards is 500 ft. separation from churches, schools and rooming houses. The prevalence of non-traditional church locations in storefronts makes it difficult to find a suitable location for this use. Also, in areas where traditional churches are located, such historic downtowns are areas where businesses are looking at investing and growing new businesses.

Mr. Mangum stated that due to the economic downturn he has seen a rise in non-traditional church locations. Mr. Godwin asked how the proposed text amendment would change separation requirement. Mr. Brown explained that NC ABC laws require a 50ft. separation. Several examples were discussed.

4. 9.7 Access Management

This proposed text amendment prohibits single-family dwelling units from driveway access on collector streets. Mr. Mangum said that Lynwood Road is a great example of this practice. Mr. Hills mentioned that Laurens Way is a perfect example of the problems that this amendment seeks to prevent. Inevitably the traffic concerns are more intense with houses front collector street. This amendment helps address concerns of citizens and reduces vehicle conflicts. As a matter of practice, staff has worked with developers to prevent this already. Mr. Morgan asked what Old Town would look like if this rule were in place. Mr. Hills explained houses can face collector streets, but the driveways must connect on other streets. Mr. Piratzky asked if this rule could cause conflict with an alley-loaded residential site design. Mr. Brown said he does not foresee any conflict.

5. 6.2 Sedimentation & Erosion Control

Mr. Brown explained that our current ordinance prohibits mass grading on lots 60ft. or greater in width. The proposed amendment would allow for these lots to be graded 20 acres at a time. Essentially, this amendment would allow for mass grading in phases. Mr. Hess stated that he has a problem with this ordinance. There was strong consensus that mass grading is not a good thing for Knightdale when the ordinance originally passed. Mr. Godwin stated that lot sizes are dictating the environmental outcomes, not the tree protection ordinance. Mr. Hills added that the most of the subdivisions currently under construction received master plan approval prior to the adoption of the mass grading prohibition. The first two projects affected by the ordinance that currently exists are Knightdale Station and Glenmere. Mr. Mangum stated that it seems a bit premature to change the ordinance. Mr. Hills also added that Knightdale is the only municipality in Wake County with a complete ban on mass grading. Mr. Morgan stated that perhaps the definition of mass grading needs to be clarified; preserving natural topography and some existing vegetation is more important than how much land is being cleared. Mr. Godwin again mentioned that the side-yard setbacks are the limiting factor. Mr. Piratzky stated developers are making an economic decision when they decide how wide they want their lots.

6. 17.2 Required Improvements

Mr. Brown introduced this amendment by explaining if someone develops on one side of a road where NCDOT recommends a median, Knightdale Ordinance requires payment for half the future median construction costs. This creates two issues: the Town collects money for an unforeseen amount of time, or the money collected may not cover future costs. Staff recommends that this section of the ordinance be eliminated. Mr. Hills added that our current ordinance is very proactive and this has caused issues; we cannot seriously consider improving road frontage until the area is more developed.

Mr. Mangum agreed that the ordinance has good intentions, but time is a significant factor. Mr. Hess asked how median construction projects would be funded without collecting the fees. Mr. Hills said staff is working with NCDOT, but there is no final solution at this time. We are working on developing more practical solution. Mr. Morgan mentioned it would be a good if the money could be used for road improvements in another location.

With the conclusion of the last item, Mr. Mangum reviewed the individual items and directed the body to adopt an advisory statement. Mr. Narron asked for clarification on how conflicts would be resolved with temporary uses. Mr. Hills clarified that the temporary use permit is only valid for 14 days.

Ms. Alexander made a motion to approve ZTA-1-15 with the exception of denying section 6.2(B), stating that proposed text amendments are reasonable and consistent with the comprehensive plan. Mr. Hess seconded the motion. The motion passed with a vote of 7-1.

XII. OTHER BUSINESS

Mr. Mangum thanked staff for their work hosting the annual Citizens Planning Academy.

XIII. ADJOURNMENT

Having reached the end of the evening's agenda and hearing no further discussion, Mr. Narron motioned to **adjourn** the meeting at 9:03 p.m. Mr. Hess 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, Matthew Christian