



TOWN OF KNIGHTDALE
Land Use Review Board
7:00 pm

Monday, February, 9, 2015
950 Steeple Square Court, Council Chambers
Knightdale, NC 27545

Minutes

I. CALL TO ORDER

Chairman Doug Taylor *called* the meeting to order at 7:00 pm.

II. ROLL CALL

The following members were present:

LURB Members Present: Doug Taylor, Richy Narron, George Hess, Pete Mangum, Chuck Piratzky, Dan Froelich, Stephen Morgan, Michael Blake

LURB Members Absent: Archie Hart

Town Council Members Present: Councilor Tripp

Staff Members Present: Chris Hills, Jennifer Currin, Courtney Jenkins

Attorney Present: Clyde Holt

III. ADOPTION OF THE AGENDA

...Mr. Hess moved to adopt the agenda for the February 9, 2015 meeting. Mr. Froelich seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES

...Mr. Morgan moved to approve the Legislative portion of the minutes from the December 8, 2014 meeting as presented. Mr. Froelich seconded the motion. The motion passed unanimously.

V. PUBLIC HEARINGS FOR QUASI-JUDICIAL CASES

A. Annual Update on Variance Cases

Ms. Currin provided an update on each of the three variance cases from 2014. VAR-1-14 was granted for 8625 Knightdale Blvd. regarding the location of the vehicle storage area, fence height and materials and parking lot screening requirements. Carolina Used Tires is no longer at location and the site improvements have not been made at this time. However, Staff's understanding is that a garage door installer is interested in the space. If so, staff will work with them through the change of use process and ensure all the UDO requirements are met. Upon granting VAR-2-14, the property owner received their permit and certificate of occupancy for their screen porch. VAR-3-14 was denied to add 13 parking spaces in the front yard and in front of the building's primary façade. Since then, the owners have received approved construction

drawings and two building permits for medical tenants; the building is currently under renovations.

Mr. Taylor asked about the tenants at 6845 Knightdale Blvd.

Ms. Currin answered the tenants are a pediatric office and a therapy office.

Mr. Morgan asked when the improvements need to be completed by for 8625 Knightdale Blvd.

Ms. Currin replied that the work needs to be completed with a year.

VI. RECESS

VII. COMMUNITY APPEARANCE CASES

VIII. TREE PROTECTION AND PLANTING CASES

IX. OLD BUSINESS

X. NEW BUSINESS

A. ZMA-1-15 – Rivers Edge Apartments

Mr. Hess recused himself from the discussion regarding the Rivers Edge Apartments, due to the proximity to his property. He stated that he wants to be part of the citizen inquiry.

...Mr. Froelich motioned to approve Mr. Hess's request to recuse himself from the case. Mr. Morgan seconded the motion and it carried unanimously.

Ms. Currin addressed the project profile; the application is to request a Zoning Map Amendment to rezone approximately 25.33 acres located on the south side of Knightdale Blvd. and east of the Neuse River and west of the proposed Milburnie Rd. extension, from Highway Business (HB) and Open Space Preserve (OSP) to Neighborhood Mixed Use-Conditional District (NMX-CD), HB, and OSP in order to develop 302 multi-family dwelling units and associated recreational amenities. The applicant voluntarily submitted a conditional district rezoning for the proposed use as shown on the master plan and has also requested a few exceptions to the UDO, which have been provided below and are included in the UAA proposed for consideration. The applicant is identified as Parkway Properties Group, LLC and the Town of Knightdale. She addressed the roadway improvements that will occur with the project and provided proposed elevations and renderings. She talked about the public hearing details and who spoke in favor and against the project. She read the proposed written advisory statement and Staff's recommendation.

Mr. Froelich asked about the location of the Green Pines well.

Ms. Currin responded that it is located in Tract D and is not part of the rezoning request.

Mr. Morgan asked what the applicant does not meet in regards to the Unified Development Ordinance.

Ms. Currin answered that the front setbacks exceed the maximum 25' for Building 2, parking is located in the front building planes of Buildings 7 and 8, sidewalk connections are not provided

from Building 6 to Milburnie Rd., from Building 5 to the new local street or from Building 2 to Knightdale Blvd, and the buffer near the well is only 25' in width, not 50'.

Mr. Piratzky addressed his concern regarding not meeting all of the required sidewalk connections.

Ms. Currin responded that the site will have sidewalk connections elsewhere.

Mr. Hills noted that the applicant has shown the site improvements in full with the rezoning. Staff feels that the topography is significant enough to affect meeting all cross sections.

Mr. Taylor asked how the well will be protected during construction.

Ms. Currin answered that she would have to defer that question to the project engineer.

Mr. Morgan asked if garage apartments were given any consideration.

Ms. Currin answered that there is some covered and sheltered parking. She stated that the applicant is meeting the parking requirements.

Mr. Ed Tang, the project engineer with Withers & Ravenel, requested that the Board members consider supporting this zoning map amendment. He stated the benefits of the project, such as the road improvements, including the Milburnie Rd. extension, open space and variety of housing options the development was providing. He stated that there will not be any blasting near the area of the well and that he does not expect any significant impacts to that vicinity. He indicated that the Town will gain riverfront property and that he believes the project will be positive for the Town of Knightdale.

Mr. Morgan asked if any consideration was given to installing a fence around the well.

Mr. Tang replied that his client could entertain that idea.

Mr. Morgan stated that he feels it could protect the area from vandalism or other damage.

Mr. Piratzky inquired about BMP 2 encroaching the floodplain.

Mr. Tang answered that he is working with Mr. Boone, the Town Engineer to obtain the proper floodplain development permits.

Mr. Mike Hunter, the developer with Parkway Properties, also spoke in favor of the project. They are the developers of Princeton Manor and want to continue to bring a high level of quality development to the Town.

Mr. George Hess, of 304 Milburnie Road in Knightdale, addressed the Board to discuss his opposition to the zoning map amendment and project. He discussed the topography of the land and its challenges; he believes the site is not suited for the proposed project and the rezoning request should be rejected. He explained that most rezoning requests are within 1-2 tiers in the Town's transect and this proposed rezoning from OSP to NMX CD exceeds what is typically granted. He feels the parcel is the antithesis of what NMX should be and the main parcel should be zoned HB which would suite the location. Next, he addressed his concern regarding the impact of the well, which serves over 100 homes in the Green Pines subdivision. He believes the developer does not know the real challenges that could occur with the construction, including contaminants. He mentioned that when the property was sold to the Town in 1998, assurances were made that nothing beyond outdoor recreation facilities would be done with the property until 2023. He concluded his comments with discussing preserving Open Space, he thinks this case could set a bad precedent and that OSP rezoning should not be allowed.

Ms. Doreen Klughers, of 102 Cliffview Drive and Mr. Chris Radar, of 306 Old Milburnie Road, spoke in opposition to the amendment as well. The agreed with Mr. Hess's comments and

expressed their concerns about the well, size of the site and not wanting to see Open Space Preserve rezoned.

Mr. Tang continued to answer the Board's questions regarding amenities, tree preservation and lighting.

Mr. Taylor discussed his continued concern regarding the lack of protection for the well. He does not think it is unreasonable to ask for some type of protection for the residents.

Mr. Mangum stated that a gate to the well could be a good solution.

Mr. Hills replied that it is a reasonable request and could be a suggested condition.

Mr. Tang responded that he can investigate with the owner this option.

Mr. Piratzky addressed his concern about Building 2 not meeting the setback.

Ms. Currin responded that the setback concern is due to the topography.

Mr. Mangum asked if a buffer would be required along Knightdale Blvd.

Ms. Currin answered that it will be required where parking can be seen; there will be street trees as well.

Mr. Blake stated that the location is at a very prominent entrance to Knightdale.

Ms. Currin replied yes and that it has been a Staff concern. Staff is requiring hardiplank and high quality materials to help preserve the gateway. A new sign will be installed to reflect the Town of Knightdale.

Mr. Hills stated that Staff is comfortable with the Master Plan as presented and has gone through the appropriate review channels.

Mr. Taylor asked the board if they were ready for a motion or needed further deliberation.

Mr. Froelich stated that he feels there are inconsistencies with the plan and uncertainties regarding the well.

...Mr. Morgan motioned to deny ZMA-1-15; due to lack of consistency with the comprehensive plan, the proposed zoning does not support mixed-use and the underlying zoning is appropriate. Mr. Piratzky seconded the motion. Mr. Narron and Mr. Froelich voted in favor of the denial. Mr. Mangum and Mr. Blake opposed the motion.

B. Transit Plan Update

Mr. Hills provided the Board with a transit presentation that addressed various goals and priorities; such as ridership vs. coverage and infrastructure vs. operation levels. He requested the members to participate in a survey. He stated that Wake Transit wants as much public input and participation as possible. He asked the members to engage their family, friends, and co-workers as well.

XI. OTHER BUSINESS

A. Member Term Status

Mr. Hills addressed the board regarding the members' terms. Mr. Hart has served his full allowed term and Mr. Froelich has elected not to reapply to the Board. He thanked the members for their years of service and stated that they would be recognized at the next Town Council meeting. He requested the other members to complete a general disclosure form. He explained

the department's transition to being named Development Services. He also introduced the Town's new Senior Planner, Jason Brown, to the Board.

Mr. Taylor thanked Mr. Froelich for his years of service to the Board as well.

XII. ADJOURNMENT

Having reached the end of the evening's agenda and hearing no further discussion, Mr. Froelich motioned to *adjourn* the meeting at 9:23 p.m.



Attest, Chairman of the Land Use Review Board,



Clerk to the Land Use Review Board, Matt Christian