



LAND USE REVIEW BOARD MEETING AGENDA

950 Steeple Square Court, Knightdale, North Carolina 27545

**October 14, 2019
7:00 p.m.**

- ITEM I. ADOPTION OF AGENDA
- ITEM II. CHAIRPERSON'S COMMENTS
- ITEM III. APPROVAL OF MINUTES
 - A. [September 9, 2019 Minutes](#)
 - B. [September 9, 2019 Quasi-Judicial Minutes](#)
- ITEM IV. BOARD OF ADJUSTMENT
- ITEM V. PLANNING BOARD
- ITEM VI. COMMUNITY APPEARANCE COMMISSION
- ITEM VII. TREE BOARD
- ITEM VIII. OTHER BUSINESS
- ITEM IX. NEW BUSINESS
 - Training*
- ITEM X. P&E COMMITTEE UPDATES
- ITEM XI. PAST COUNCIL ACTIONS
- ITEM XII. ADJOURNMENT

DS Director

*Staff will provide update during meeting



KNIGHTDALE LAND USE REVIEW BOARD MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

September 9, 2019

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

LURB MEMBERS PRESENT: Rita Blackmon, Michael Blake, Darryl Blevins, Steve Evans, Gentry Lassiter, Ben McDonald, Latatious Morris, Tiffanie Meyers, and Bradley Pope.

ABSENT: None.

Staff Members Present: Chris Hills, Development Services Director; Kevin Lewis, Senior Planner Current; Aquila Blackwell, Planning Technician.

TOWN COUNCIL MEMBERS PRESENT: Councilor Mark Swan, Councilor Jessica Day.

Attorneys Present: Roger Knight.

Meeting called to order by Chair Latatious Morris at 7:03 p.m.

ITEM I. ADOPTION OF AGENDA
Chair Morris introduced the agenda.

...Motion by Vice Chair McDonald to adopt the agenda. Motion seconded by Mr. Blake and carried unanimously.

ITEM II. CHAIRPERSON'S COMMENTS
None at this time.

ITEM III. APPROVAL OF MINUTES
Chair Morris introduced the minutes of August 12, 2019.

...Motion by Mr. Evans to approve the minutes of August 12, 2019. Motion seconded by Mr. McDonald and carried unanimously.

Chair Morris introduced the quasi-judicial minutes of August 12, 2019.

Mr. Evans noted that the incorrect name was listed as Chair on the Board of Adjustment minutes and Ms. Meyers noted that her name was spelled incorrectly.

...Motion by Ms. Blackmon to approve the quasi-judicial minutes of August 12, 2019 with the proposed corrections. Motion seconded by Mr. Evans and carried unanimously.

ITEM IV. BOARD OF ADJUSTMENT

The Board entered the Board of Adjustment session.
(See Minutes of the September 9, 2019 Quasi-Judicial Session)

ITEM V. PLANNING BOARD

ZMA-2-19 Horton Place Planned Unit Development

Development Services Director Chris Hills reported that the applicant Charles Walker on behalf of James E. Allen, LLC has submitted a proposal to develop the vacant parcel at 0 Buffaloe Road into 49 single-family lots. The subject property is 52.99 acres and is identified by Wake County PIN 1755-86-3977. Mr. Hills explained that in accordance with UDO Section 15.4.F.6.e, any residential development of five or more lots requires Special Use Permit approval. Furthermore, since the parcel is currently zoned Rural Transition, it must be rezoned in accordance with UDO Section 15.6.C.

Mr. Hills provided background on the project, showing the overall zoning map. Mr. Hills explained that prior to submitting the Rezoning/PUD Application; the property owner proceeded with an Exempt Subdivision of the property to break the parcel into two pieces. This exempt subdivision had the effect of removing private streets from the subdivided parcel so that the streets would not need to be improved as part of any forthcoming subdivision proposal.

Mr. Hills reported that the proposed lots would be served by community well and individual septic. He noted that if the proposed PUD were approved, it would allow local streets to be constructed of ribbon asphalt.

Mr. Hills noted that a neighborhood meeting was held on March 7, 2019 and he described the resident concerns regarding the plan.

Mr. Hills reported that the Development Review Committee (DRC) was held on May 2, 2019 and noted that the DRC had a unanimous vote to deny approval based on the following: inconsistent with comprehensive plan, missing collector street, the use of an existing street in an adjacent subdivision as primary means of access, and that the open space did not meet UDO standards. Mr. Hills noted that since the May 2nd DRC meeting, the applicant has revised several elements of the proposed Master Plan, but he explained that the DRC has not met to review the changes due to the timing of the revised submittal.

Mr. Hills reported that the public hearing was held at the May 15, 2019 Town Council work session and nine residents spoke in opposition of the plan.

Mr. Hills presented the original submittal, revisions, and final submittal to the Board. He informed the Board that residents will drive through a collector in a neighboring subdivision and the revised plans displayed a connection extending to Buffaloe Rd. Mr. Hills explained the difference between collector and arterial roads to the Board. He informed the Board that the applicant has also informed him that they would potentially

make improvements to Bobbitt Drive, however, Staff has not received a plan to determine if the improvements were feasible.

Mr. Hills stated that for a RR1 PUD Rezoning, standards of RR1 district must be met unless alternative design standards are proposed. He described the revised elements of the proposed Master Plan to the Board, such as a street connecting to Buffalo Road and adding walking trails, gazebos, and playgrounds. Mr. Hills also explained the proposed alternative design standards, however, he noted that DRC only reviewed the original submittal and voted to deny this plan based on specific design concerns.

Mr. Hills also reported that the item would return to Town Council for final action after LURB issues their recommendation.

Mr. Hills explained that by law, the Board must adopt a statement of plan consistency and reasonableness of action. The Development Services Department recommends that the Land Use Review Board recommend denial of ZMA-2-19 and forward the following advisory statement to the Town Council: "The proposed Zoning Map Amendment is not consistent with the Knightdale Next 2035 Comprehensive Plan as it fails to address several of the guiding principles including creating great neighborhoods and expanded home choices, encouraging compact development patterns and promoting infill and redevelopment. It is further inconsistent with the General Growth Framework and Growth & Conservation Map. The request is not reasonable nor in the public interest as it fails to support the guiding principles of the Knightdale Next Comprehensive Plan."

Mr. Blake asked Mr. Hills if the applicant updated the application to make it consistent with the Comprehensive Plan and Mr. Hills explained that applicant did meet with staff, however, the applicant could go in more detail over the changes.

Charles Walker, applicant, stated that the site was zoned GR3 before the RT rezoning and he noted that he worked with staff during the rezoning. He stated that RT is a temporary holding district for areas that are currently rural in nature, but could transition over time.

Mr. Walker explained that the exempt subdivision streets are private access easements and that they are not public roads. He stated that he could not change a private access easement to a public right of way and that staff informed him that each road would need curb, gutter, and sidewalks. As a result, the roads were removed from the plans since he was unable to convert them to a public right of way. He informed the Board that Proc Ridge Road is the only road that is public right of way in the submittal.

Mr. Walker stated that the Town's ordinance allows 100 lots on a single entrance; however, his subdivision will contain three entrances due to the revisions. Mr. Walker stated that according to exhibit B in the collector plan, Street A is not a collector road. He described that he will develop a road that mimics a collector road, but he will only apply the parts of the ordinance that apply to them.

Mr. Walker described the zoning of the surrounding areas, noting that some areas contain more dense zoning than RT. He also stated that if LURB request, they would add a tree plan to the subdivision plan.

Mr. Evans asked the applicant if he considered adding any buffering between the neighborhoods. Mr. Walker stated that he considered the exempt subdivision a buffer. Mr. Evans clarified that the exempt subdivision is a spatial buffering, not a physical buffering and Mr. Walker agreed. Mr. Walker stated that he would consider adding more buffering.

Vice Chair McDonald asked staff if they had a copy of the collector street plan available and Mr. Hills explained that the collector street plan was referenced when staff reviewed the subdivision plan.

James Allen, property owner, stated that when he purchased the land, no collector roads went through the subdivision. Mr. Allen stated that this property is currently landlocked and the subdivisions surrounding the parcel contain more density than the proposed plan. He stated that there is no city sewer or water available to his parcel and he described that his intentions are to build homes using custom builders. He stated that if the Board preferred, he would consider the Buffaloe Road entrance to be the subdivision's primary entrance and he would prevent an entrance into the Horton Mill subdivision.

Michelle Russo of 9001 Horton Mill Drive expressed that she is concerned with the proposed subdivision using Proc Ridge Lane. She stated that the Horton Mill subdivision does not want to carry the financial burden of the road if the proposed subdivision will use it.

Mr. Evans asked if the residents would prefer to remove the Street A entrance into the Horton Mill Subdivision from the plan. Ms. Russo stated that she is not opposed to the entrance, but noted that the Horton Mill subdivision does not want to carry the financial burden alone.

Matt Warner of 1714 Proc Ridge Lane expressed his concerns with the traffic.

Ronald Cole of 9016 Horton Mill Drive expressed his concerns with the traffic and stated that he would support a cul-de-sac.

Steen Carson of 2524 Reliance Avenue in Apex expressed his concern with the traffic.

Mr. Evans asked if the developer would still use Bobbitt Drive as a potential entrance. Mr. Allen stated that the subdivision would still connect to Bobbitt Drive; however, he noted that it is currently a private drive and the residents will not sell it.

Members discussed if Street A should be considered a collector road. Mr. Blake stated that lots are about an acre and that he would approve an entrance to Buffaloe Road, which would protect Proc Ridge Road in the Horton Mill Subdivision. Mr. Blevins discussed that he is concerned about the initial engagement and stated that the neighboring subdivision roads would not be to the current standards, so he would prefer to see improvements to the collector street.

Mr. McDonald noted that the Comprehensive Plan is a guide for the Town's growth. He stated that residents categorize this area as a specific place type, so although the plan matches the surrounding properties, it does not match the vision of Knightdale's future.

...Motion by Vice Chair McDonald to recommend denial of ZMA-2-19 finding that it is inconsistent with the Comprehensive Plan, and to forward staff's written advisory statement to the Town Council. Mr. Blake, Mr. Pope, Mr. Blevins, and Mr. Evans opposed. The motion failed, with a vote of one (1) in favor, with four (4) opposed.

After extensive discussion and acknowledgement that the proposal was not consistent with the Knightdale Next Comprehensive Plan but reasonable in the context of the surrounding land uses, the LURB voted to Recommend Approval of ZMA-2-19 to the Town Council with a recommended condition to require that the applicant amend the plan to provide a cul-de-sac at the eastern end of Road A, removing connectivity to the Horton Mill Subdivision. The applicant stated they would consent to the proposed additional condition if the Council determines it is appropriate.

...Motion by Mr. Evans to recommend approval of ZMA-2-19, finding that the proposed zoning map amendment is NOT consistent with the Knightdale Next 2035 Comprehensive Plan's General Growth Framework and Growth and Conservation Map, but it IS REASONABLE and in the public interest in that it is consistent with the surrounding land uses and will not cause adverse impacts to neighboring property owners. Motion seconded by Mr. Blake. Mr. Blake, Ms. Blackmon, Mr. Blevins, Mr. Evans, Mr. Lassiter, Ms. Meyers, and Mr. Pope voted in favor, Vice Chair McDonald opposed. The motion passed by a vote of seven (7) in favor, with one (1) opposed.

ITEM VIII. COMMUNITY APPEARANCE COMMISSION
None at this time.

ITEM IX. TREE BOARD
None at this time.

ITEM X. OTHER BUSINESS
None at this time.

ITEM XI. P&E COMMITTEE UPDATE
Ms. Morris noted that she is unable to attend the P&E Meeting. Mr. Hills discussed CAMPO items and the UDO update.

ITEM XII. PAST COUNCIL ACTIONS
None at this time.

ITEM XIII. ADJOURNMENT
...Motion by Ms. Morris to adjourn at 8:36 p.m. Motion seconded by Ms. Blackmon and carried unanimously.

Latatious Morris, Land Use Review Board Chairperson

Aquila Blackwell, Planning Technician



KNIGHTDALE BOARD OF ADJUSTMENT MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

September 9, 2019

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

QUASI-JUDICIAL LURB MEMBERS PRESENT: Rita Blackmon, Michael Blake, Darryl Blevins, Steve Evans, Gentry Lassiter, Ben McDonald, Tiffanie Meyers, and Bradley Pope.

ABSENT: None.

TOWN COUNCIL MEMBERS PRESENT: Councilor Mark Swan, Councilor Jessica Day.

ATTORNERYS PRESENT: Roger Knight.

STAFF MEMBERS PRESENT: Chris Hills, Development Services Director; Kevin Lewis, Senior Planner Current; Aquila Blackwell, Planning Technician.

Meeting called to order by Chair Morris at **7:04** p.m.

ITEM I. PUBLIC HEARINGS FOR QUASI-JUDICIAL CASES
None at this time.

ITEM II. ORDERS FOR QUASI-JUDICIAL CASES
Order Granting VAR-1-19 Whitley Ridge

**...Motion by Mr. Evans to approve the order granting VAR-1-19 Whitley Ridge.
Motion seconded by Ms. Blackmon and carried unanimously.**

ITEM III. ADJOURNMENT
The Board of Adjustment session ended at **7:06** p.m.

Latatious Morris, Land Use Review Board Chair

Aquila Blackwell, Planning Technician