# Town of Indian Trail

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6/16/15

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**PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT**
**PLANNING BOARD MINUTES**
**May 19, 2015**
**06:30 P.M.**

**CALL TO ORDER**
**ROLL CALL**
The following members of the governing body were present:

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| Board Members: | Patricia Cowan, Larry Miller, Jan Brown, Cathi Higgins, Kelly D'Onofrio, Alan Rosenberg, and Steve Long. |
| Members Present but not Voting: | None. |
| Absent: | Sidney Sandy, Jorge Aponte, and Dr Shamir Ally. |
| Staff Members: | Rox Burhans-Planning Director, Lindze Small-Planner/GIS Technician, and Pam Good-Board Secretary |

**APPROVAL OF MINUTES - March 17, 2015**
Motion to approve minutes by Member Higgins, seconded by Member Rosenberg. Vote to approve was unanimous.

**PUBLIC ITEMS-**
**CZ2014-005 Plyler Rd Townhomes**
**Project Summary** This is a request to rezone a 6.5-acre property from Light Industrial-Conditioned (LI) to a Conditional Multi-Family Residential Zoning District. The intent is to develop a 35-unit, alley-loaded townhome community organized into seven building clusters. The proposed community is organized around a central green space/water quality bioretention area with pockets of open space located throughout the development. Access to the community will be provided by a single, private road providing one-way circulation through the community. A right turn lane along with public sidewalk, curb/gutter, and street trees will also be provided on Plyler Road. Planning Director Rox Burhans began an overview of the project with a power point presentation. He gave an analysis which included location characteristics, history, and surrounding zoning. He also noted the comments from outside agencies as well as noting the two community meetings held regarding the proposed project. The general sentiment of meetings was that townhomes seem appropriate for use. Notes from meetings were included in the board member packets.

Staff Burhans read the draft findings into the record.

**Draft Conditions** Conditions of approval have been developed in order to ensure the proposed rezoning is consistent with the Comprehensive Plan and the underlying intent of the Multi-Family Residential District.

10. *Perimeter Landscaping*: Perimeter landscaping is required along the site frontage on Plyler Road. Landscaping consisting of trees, shrubs, ground cover, and other elements shall be used to create an attractive appearance. The remaining perimeter of the site will comply with the 25-ft buffer standard except for areas prevented by the existing natural gas easement. The gas easement area will be fenced and kept in a maintained condition with a domestic grass treatment (Fescue, Bermuda, etc.).
11. *Storm water Management*: The site will be served by two storm water management facilities. The central facility will be a bioretention area for water quality and will be ornamentally landscaped with trees and shrubs to create an attractive design feature. A second storm water facility will be located in the back corner of the site and will also be screened with trees and shrubs. Any required fencing in these areas will be of a decorative nature.
12. *Overhead Utilities*: All utilities shall be placed underground within the community.
13. *Fencing*: The perimeter of the site will feature a fence to help provide a separation between the adjacent railroad, the light industrial use, and the Cranston Crossing neighborhood. Fencing located in the rear of the townhomes will be of a solid, non-wood design such as vinyl panel fencing, while any fencing in more visible areas will be of a decorative, open design.
14. *Compliance with various agencies*: The project shall comply with local, state, and federal permitting regulations. The property owner/applicant shall obtain a Union County Sketch Plan approval for water and sewer service prior to submittal of any Town Site Plan applications.
15. The Town Council may act to revoke the conditional zoning district designation if the applicant fails to meet the terms of the district.

Staff is of the opinion the goals of the Comprehensive Plan are satisfied as follows: *Goal – Land Use and Housing* - The proposed conditional district provides for a quality residential use at an appropriate location providing a more appropriate transition between land uses than the previous light industrial zoning district would have. *Goal- Mobility and Transportation* – The proposed conditional district includes the construction of curb, gutter, and sidewalk enhancing mobility in the area, construction of a roadway improvements (turn-lane and storage), and dedication of right-of-way on an adjacent roadway to meet the future transportation needs of our community. Staff Burhans ended his presentation and allowed questions from the board.

Member Miller asked Staff Burhans to clarify if this plan was the same as Plyler Rd apartments. Staff Burhans replied that there was no relationship.
Member Long noted that the staff report be corrected to Cranston Crossing (singular). Staff Burhans acknowledged the comment and stated he'd correct it.
Member Higgins asked Staff Burhans to clarify, for the audience, about the original application expiring. Staff Burhans explained that the subject property was conditionally rezoned to light industrial in the early 2000's for a possible business park. Since the rezoning, no action had been taken by the developer to implement the plan. Per state law, the application expired.

Developer Comments:
Pat Quinn, of Eagle Engineering at 2013A Van Buren Ave. Indian Trail, stepped to the podium.
He addressed the age targeted concept in the potential plan. It would include a master bedroom downstairs, all exterior maintenance is included in HOA dues, pedestrian connectivity, more passive open spaces, marketing for the community of 55 yrs. and older. Mr. Quinn spoke about the community meetings held. Piedmont Natural Gas transmission facility which includes the easement that runs through the property. Other questions discussed were loudness in winter as there is currently no screening alongside the property. Piedmont is willing to work with developers regarding this. Other topics included NCDOT and bus stops on the road. Mr. Quinn stated that they are working with NCDOT to see what can be done to alleviate potential problems. The developers are working with Public Works to get their approval regarding utilities to the site.

Board questions:
Member D'Onofrio asked Mr. Quinn to clarify why the developers decided age target vs age restriction. Mr.

Chair Cowan stated that she is also in favor of the project; understands keeping it open-ended.

Member Higgins agreed that the project was a good transition with single family and other types. Parking is serious for law enforcement and other town services. She also had concerns with words used in the draft conditions such as "approximately" and "generally" with the interior roads. She stated that we need to nail down the details for conditional zoning. However, the residents that came to the meeting are the stake holders and she didn't hear many large concerns except the school bus stop.
Member D'Onofrio stated that it is a good use for the land but also concerned about the parking.
Chair Cowan mentioned that she would have liked to see more response from Union County Public Schools so as not to overburden the class sizes.
Chair Cowan would like to see a letter drawn up to send to the transportation department to express concern about the bus stop that was near the blind curve of Plyler Road.

Chair Cowan wanted ideas from Rox or the developer to address the parking concerns of many of the board members. Member Miller stated that the Planning Board is a recommendation committee; a caveat could be added for additional parking.
Dennis Moser stepped to the podium to answer questions about the parking. He stated he wanted industrial but his zoning expired. If more restrictions are added, it will make it hard to develop.
Member Higgins asked if the parking was put in the front, would that add parking.
Member Rosenberg if it was front-loading, could you sell it. Mr. Moser answered yes. More discussion followed.
Member Miller pointed out an area in the development where you could add 5-10 spaces. Mr. Moser replied that the project has been worked over for many months. He added that rear loading properties adds much price to the homes.

Member Rosenberg was concerned about the amount of alleyways and that will put a large burden on the HOA to maintain those alleyways. He also asked why wouldn't we renew on light industrial zoning? Staff Burhans explained that it is not in keeping it future trends in that area; it is also a gateway for the downtown.

Member D'Onofrio stated that it wasn't the right fit.

Member Higgins stated that light industrial zoning expired in 2008 and it has no zoning.
Staff Burhans stated that with conditional zoning, the board approves a plan and the developer has a certain number of years to act upon it or the plan expires. The Town's ordinance doesn't have reversion clause.

Staff Burhans spoke about the Comprehensive Plan for Indian Trail and mentioned the Planning Board's area tour last year and that was the leaning of the Planning Board. He suggested that the Board visit the sites of other projects and find out what other developments have in regards to parking before the Town Council meeting. He reiterated that he didn't share the board's concerns about parking for this project.
Member Brown stated that he sees many positives with this project.

Member Long made a motion to recommend as presented with the draft conditions that were read into the record. Member Brown seconded, 6 recommended, Member D'Onofrio opposed.
Meeting was paused, then resumed.

**B. ZT2015-002 Utilities**

**Project Summary**

This is a request to amend Chapters 520 and 1610 of the Unified Development Ordinance (UDO) to permit Minor and Major Utility uses with the Business and Commercial Use Table. Utility uses were mistakenly not addressed in this use table when the UDO was adopted in 2008. The amendment also includes