Town of Indian Trail

P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone 704-821-5401
Fax 704-821-9045

TREE BOARD MINUTES
July 15, 2014
6:45PM

CALL MEETING TO ORDER

Vice Chair-Larry Miller called the meeting to order.

ROLL CALL

The following Board Members of the governing body were:

Present:	Larry Miller, Robert Rollins, Kelly D'Onofrio, and Steve Long.
Absent:	Patricia Cowan- Chair, Alan Rosenberg, Jan Brown, Cathi Higgins, Cheryl Mimy, Sidney Sandy, Bill Smith-ex officio member
Staff Members:	Shelley DeHart- Planning Director, Rox Burhans-Planning Assistant Director, Pam Good- Board Secretary, and Lindze Flowers-GIS Technician

APPROVAL OF MINUTES-May 20, 2014

Motion to approve by Steve Long. Seconded by Robert Rollins.
Minutes approved- vote was unanimous.

DISCUSSION ITEMS

Staff Rox Burhans introduced the case regarding the Alternative Tree Protection & Landscaping Plan for a proposed Christian Brothers Automotive Repair Center and Zaxbys Restaurant located at Intersections of US HWY 74 and Allen Way (adjacent to Dolphin Pools).

Staff Burhans proceeded to present a brief overview of the Town's Tree Protection and Landscaping Ordinances which included two key topics: Tree Canopy Area Retention and Heritage Tree Protection. He further explained both topics and the goal of the Town to encourage development in a manner that will blend the goals of commerce and tree protection. Another aspect of the UDO is about the landscaping ordinances. Staff Burhans spoke about the two areas of landscaping ordinances, which is the buffering aspect as well as parking lot landscaping. Two attachments were included and presented to the members and attending public by Staff Burhans. Various views were shown regarding the proposed site and the surrounding area as well as pictures of typical construction as the businesses that were the subject of the discussion.

Staff Burhans then presented the case with more detail to the members of the board regarding the Alternative Tree Protection and Landscaping Plan. The request is to modify the side rear buffer yard of the proposed Christian Brother's Automotive site as well as the Heritage Tree retention requirements for both the Christian Brothers site

and the Zaxby's restaurant site. While these sites are being developed (potentially) by separate entities, the development teams for both projects have agreed to closely continue the overall site planning and the development of a common Alternative Landscape and Tree Retention Plan to help ensure a cohesive design. Staff Burhans also explained that the UDO's ordinance for mitigation of Heritage Trees planting requirement which greatly penalized developers who are working with sites that are already heavily wooded, thus the Alternative Tree Protections Plans have been approved to reasonably balance the development rights associated with a site with also the Town's preservation goals. Christian Brothers is proposing a 25-ft vegetated buffer consisting a mixture of retained existing trees (mostly hardwoods) and establishing a supplementary opaque screen using a combination of Eastern Red Cedar Trees and and Carolina/Cherry Laurel shrubs. Both of these species are of an evergreen nature and native to the southeastern United States. The following are some of the areas to be considered:

Tree Save Areas: The proposal contemplates the set-aside of approximately 16,866 sq. ft. (0.39-acres) of undisturbed, tree protection area. Within this area, approximately 28-Heritage Trees or 26% of all Heritage Trees will be protected. Additional trees will also be saved in this area that do not meet the heritage size threshold. Tree protection fencing will be erected during construction to protect retained trees. Any trees that are damaged or threatened during the construction process will be replaced. A tree protection easement will be established in the grove areas to ensure these areas continue to remain undisturbed in the future. The majority of the proposed tree save area is being located along the rear of the subject property, which also affords a natural buffer for the adjacent residential property.

Tree Canopy Retention: The UDO requires that commercial sites retain or plant a min. of 10% of their site area as tree canopy. The UDO requires a minimum of approximately 8,841 sq. ft. of tree canopy to be retained for this subject property. As reflected in Attachment 1, the plan proposes nearly doubling the required minimum canopy with the provision of approx. 16,866 sq. ft. of tree retention area. An additional 63,200 sq. ft. of tree canopy (at full maturity) will also be established in the parking areas, buffers, and adjacent to buildings through the planting of new trees. The plan places a priority on planting larger canopy trees, where appropriate, to help enlarge the tree canopy. This, stated Staff Sr Planner Burhans, far exceeds the Town's tree requirements.

Site Layout: The design of this fully wooded site required Christian Brothers Automotive and Zaxbys to undertake a considerable about of coordination and to utilize alternative design practices to retain as many trees as possible. teams located in different states. The following will provide a brief snapshot of some of the alternative design practices undertaken to maximize tree protection or planting and otherwise achieve a coordinated site layout and landscape design.

Alternative Design Practices

1. Use of a shared driveway versus individual driveways; and
2. Relocation of rear sewer line outside of the proposed tree retention area to the rear parking area. This not only helped create a larger tree protection area, but expanded the buffer area that could be planted with trees adjacent to the residential property; and
3. Use of retaining wall located on rear of Christian Brothers site to minimize grading; and
4. Meandering sidewalk along Allen Way to minimize tree clearing; and
5. Coordinated grading design and use of walls to minimize severity of side slopes; and
6. Common vegetation species (where possible) to create a unified appearance.

Tree Mitigation Contribution: Christian Brothers Automotive has proposed making a $2,500 contribution to the Town to be used for the planting of replacement trees within a public space. In light of their limited site area available to retain existing trees or plant replacement trees, Christian Brothers wanted to make an offsite contribution to ensure the continued growth of the Town's community forest.

Staff Burhans concluded his report stating that the applicant, property owner, and neighbor adjacent to property, landscape architect were all in attendance in the meeting to answer any further questions.

Vice-Chair Larry Miller, acting as chair for the meeting, allowed questions by the board. Robert Rollins asked if signage would conflict with any existing trees. Member Steve Long asked who designed and selected the plants. The landscape designer in attendance, Holly Colony with Kimley-Horn and Associates spoke to Member Long's questions about which native plants were selected and why. Native species is always preferred but sometimes there are places where it is not the best usage.

Public Comments:
A representative from Christian Brothers Automotive, Jonathan Wakefield of Houston, TX stepped to the podium and emphasized how hard they were trying and their commitment and desire to be here. He reiterated that working with many entities; feel they have a cohesive plan. He stated Christian Brothers is accustomed to working with areas that have and maintain high standards. He also emphasized he had data with him to show that the traffic, environmental, acoustic impact was not as high as one might think. Questions were asked from the board about the partnership of Christian Brothers and Zaxbys. Mr. Wakefield stated this was the first between the two businesses. Member D'Onofrio asked if this was Christian Brothers' first store in North Carolina. Mr. Wakefield named several other locations in North Carolina where a shop already exists or is being built. Member D'Onofrio also asked if other landscape plans are similar to the one being presented. Mr Wakefield spoke of the process the company went through in Cary, NC. They did do something slightly different here in Indian Trail. Member Long stated he felt it was an excellent launch for the area. Their philosophy of business and style of building is an excellent addition to the community.

Mr. Patrick O'Connor was called to the podium to speak as property owner adjacent to the proposed site. He stated that he spoken with Staff Rox Burhans and Doug Marsh about his desire to have landscaping, not a wall. He questioned Mr. Wakefield about the amount of noise level at 7:00 am when Christian Brothers will open each day for business. He stated the buffer zone area to look nice with shrubbery and clean up the poison ivy.
Mr O'Connor stated his concern about the road that goes to his house and the condition since Dolphins Pools business opened. He added that he is looking forward to Christian Brothers Automotive and Zaxby's coming. He is excited about the growth from the past 30 years in Indian Trail and keeps the hometown feel.

Acting Chairman Larry Miller reiterated that the Tree Advisory Board has no control to do anything about the road in question. That goes before another group.

Jonathan Wakefield stepped back to the podium to answer Mr. O'Connor's questions first regarding noise level with an acoustic report commissioned in Allen, TX in which they found that speaking is approximately 55 decibels. The interior of their bay which will be constructed with 100% masonry materials, the air hammer is the loudest tool used, at 24 feet from an open bay, is 71 decibels. He stated that it was quieter than the cars traveling on the highway in front of the business.

Doug Marsh, property owner in Stallings, stated that it had been a lengthy and difficult process and the ordinance as written seemed to be for empty lots. This is a wooded lot and he felt all involved have done a tremendous job merging the two projects together creating something that everyone can be proud of. He asked the board to look on this favorably.

With no one else desiring to speak, Acting Chairman Miller ended the public comment section of the meeting.

Board Deliberations:
Board Member Steve Long asked Staff Rox Burhans what time frame were the developers under regarding tree mitigation. Staff Burhans replied that it would take place prior to occupancy of the building. Board Member Kelly D'Onofrio stated her appreciation that the team worked hard to make it aesthetically pleasing.

Acting Chairman Miller mentioned that the applicant was taking the bull by the horns placing the building perpendicular to the highway. He also stated that what has been propose, even with the number of trees that have to be cut, the $2500 toward planting of trees in other areas of the Town of Indian Trail, is fantastic.

Member Steve Long made a motion for recommendation for the approval of the Alternative Tree Protection & Landscaping Plan for a Proposed Christian Brothers Automotive Repair Center and Zaxbys Restaurant. Seconded by Kelly D'Onofrio. Approval vote was unanimous.

ADJOURN
Motion to adjourn was made by Member Steve Long, seconded by Robert Rollins.
Vote was unanimous.
Meeting adjourned.

Chairman: L.E. Miller

Secretary: Pamela Hood