

Town of Indian Trail



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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:

Board Members: Patricia Cowan, Larry Miller, Jan Brown, Cathi Higgins, Kelly D'Onofrio, Alan Rosenberg, and Steve Long.

Members Present but None.
not Voting:

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.

1. *Site Layout:* The development shall be designed and constructed consistent with the concept site plan and conditions of approval found herein. The concept plan shall be attached to the approval documents for CZ2014-005 and recorded at the Union County Records of Deeds office.
2. *Townhome Units:* The maximum dwelling units is limited to 35-units.
3. *Architecture:* The townhomes will meet all UDO Section 1310.030 and 040 Statement of Integrity and Design (SID) guidelines. The townhomes will also comply with the following:
 1. A min. of 2-parking spaces (garage or parking pad) will be provided on each townhome lot meeting Town dimensional standards.
 2. A minimum of 75% of all units will include a master bedroom located on the first floor to support the age-targeted marketing concept.
 3. At least 75% of all units will include a front porch with a min. size of 4-ft (depth) x 6-ft (length).
 4. The townhome units shall be constructed with sound-attenuating wall materials to achieve a “average rating” of NC25-30 (37dB(A)) as defined within HUD Guidelines. – This guideline is used for the sole purpose of a measurable performance standard and is not associated with any funding or status of this development.
4. *Building Setbacks and Height:* Building setbacks on each townhome lot shall consist of:
 1. 10-front
 2. 0-ft-interior side, 5-ft exterior side
 3. 5-ft rear with garage, 22-ft without garage.
 4. 40-ft maximum building height
5. *Plyler Road Improvements:* The site frontage with Plyler Road will be improved with curb/gutter, a 6-ft wide sidewalk, street trees, and decorative street lighting consistent with the two lane boulevard cross section. To the extent feasible, this improvement treatment will be extended across the frontage of the adjacent natural gas transmission parcel (Parcel #07084332C), subject to final approval by Piedmont Natural Gas and NCDOT. A right turn lane on Plyler Road and pedestrian safety/warning signage (subject to NCDOT approval) will also be constructed in compliance with NCDOT and Town requirements. Right of Way will be dedicated consistent with the Indian Trail Comprehensive Plan 2-lane Boulevard Cross Section.
6. *Onsite Road Improvements:* The interior road will include approximately 25-on-street parking stalls for visitors and residents. The road will have a cross section generally consisting of a 15-ft one-way travel lane, decorative street lights, 5-ft wide sidewalk on each side, raised curb/gutter, and street trees. The road will be constructed to the Indian Trail Land Development Regulations public road standard.
7. *Alleyway:* The townhome community will be served with a private alleyway that will generally consist of a 14-ft wide asphalt drive surface, 1-ft of flat curb on each side (or 1-side valley curb), and a 2-ft grass strip on each side. The 20-ft alley ROW will be privately maintained by the developer and/or a future homeowners association. Parking directly on the alleyway will not be permitted. The alley will be constructed to the Indian Trail Land Development Regulations public road standard
8. *Open Space:* The community is designed with various open space areas throughout the site. An amenity area with a bioretention feature and central green is proposed within the center of the Plyler Townhomes. The bioretention area will be landscaped with trees and shrubs and will feature passive park fixtures to help integrate small gathering spaces into it. The remaining open spaces will be landscaped with ornamental trees and shrubs and include passive park fixtures, as needed.
9. *Tree Retention:* The development is conditioned to comply with Chapter 830- Tree Preservation Ordinance of the UDO which identifies a 15% Tree Canopy coverage requirement on the property. A Heritage tree survey and tree canopy plan is required within the site plan review process. All reasonable efforts will be made to retain the existing Heritage Trees on the site, however, it is recognized that several will need to be removed and mitigation will be undertaken in accordance with UDO Chapter 830(E) requirement.

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 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. Quinn answered that restriction was a guide toward the demographic but not as restrictive.

Member Higgins asked about exterior maintenance. Mr. Quinn stated that it would be included in HOA dues. Residents own the units but outside structures would be covered by the HOA. Member Higgins also asked about the width of the alleyways. Mr. Quinn stated that they are 16 feet wide. Staff Burhans said 14 ft was a good amount for cars to travel slowly and be two way to pass each other.

Member Rosenberg asked about the standard of the alleyways. Staff Burhans answered that it will be built to the public road standard. He also mentioned his concern regarding parking space of 2 spaces within the garage, with a potential resident of a 55 yr old with teenagers who would likely have more vehicles. Staff Burhans stated that the development would have 35 units and 25 additional parking spaces. Member Rosenberg asked if the units would be 2-3 bedroom. Pat Quinn said it hasn't been determined yet. He mentioned that the patio homes in Bonterra now have families moving in and parking is an issue there.

Member Miller commented about the alleyways on Myers Rd. where a development has rear parking, the concept works well. He also commented that the Kerry Greens development has a parking issue. He also stated that the economy is changing and family dynamics are also changing.

Chair Cowan asked how much footage is between the garage and alleyway. Mr. Quinn stated that it is approximately five feet. Staff Burhans stated that in the larger picture, parents with three children are not typical residents of townhomes.

Member Long asked about the storm water runoff and the impact it would have on the neighborhood behind the development. Mr. Quinn replied that it was part of the design and explained the plan in place for it.

Member Long asked about the privacy berm between the property and Cranston Crossing. Staff Burhans stated that there would be 10 foot wide open space strip between Cranston Crossing. In addition there would be a 25 foot landscape buffer that will include a solid fence.

Member Long asked if potential residents of townhomes would be able to see into neighbor's homes. Staff Burhans replied it would not be an issue because topography is relatively the same.

Member Long asked about the proposed gate. Mr. Quinn replied that the Piedmont Natural Gas Company required it. Mr. Quinn also stated that fire trucks would be able to service the development adequately.

Member Brown asked if mailboxes required to be in one place. Mr. Quinn answered that it was a requirement and there would be a parking spot nearby.

Opened Public Comment:

Chair Cowan gave opportunity for additional persons in the audience to sign the sheet if they wished to speak. John Ross and Dennis Moser had no comment.

John Killman of 101 Silver Glen Ln, stated that the proposed development would be a great transition. He thanked the Town for responsiveness with residents' questions and concerns. He addressed the traffic problem that already exists on Plyer Road. Would there be any traffic calming done as there is a blind curve before a bus stop on the road.

Roger Fish of 11001 Magna Ln. had attended a public meeting, and stated that questions were answered, is impressed with the development, and feels it would be a good addition to the community.

Mary Hatcher of 1023 Cranston Crossing Place stated that she moved from a place similar to this development. She stated it didn't have enough parking places; also feels there is a great need to have an HOA.

Closed Public Comment.

Board Discussion followed. Various members spoke about approval of the development but still have reservations about the parking

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 minor housekeeping modifications to the Minor and Major Utility use definitions to help clarify what utility improvements would be considered minor or major.

Staff Recommendation- Staff recommends based on the guidance of the adopted plans that the text amendment be supported by recommending its approval to the Town Council.

Staff Burhans read the draft findings into the record.

No Public Comments.

Board questions:

Member Rosenberg asked if we have authority and ability to change where they can or can't be located. Staff Burhans answered yes, on private property.

Chair Cowan asked if utilities included cell towers. Staff Burhans replied that they are treated separately.

They are a specific use that is called out.

Board discussion: none

Motion: Member Higgins recommended approval based on the consistency of findings read into the record.

Member Rosenberg seconded. The vote was unanimous.

PLANNING REPORT

- Chestnut Parkway is now open.
- Grand opening for Crooked Creek Park is scheduled for May 30.
- Indian Trail started a sweeping program which will be done twice each year and is estimated to take 8 days. Zaxby's and Christian Brothers, and Popeyes development projects are close to having final permits.
- The Town is a sponsor of a rezoning amendment. A community meeting will be held June 2 at 5:30pm in the Cultural Arts Center for the site across from Carolina Courts.
- The Glen Oaks site will likely start grading activities tomorrow.
- The hazardous waste drop off event for Union County was overwhelmingly successful.

Member Higgins asked about a streamlined development permitting for faster level turnaround. Staff Burhans replied that the Town Council must approve it. He explained that a possible example would be if someone wanted to expedite a project, they could pay to do so. He added that we also need to re-examine how we are doing business and our permitting system to continue to gain efficiency.

Staff Small mentioned that some of the Arbor Day events did occur and Indian Trail has received the official pin for Tree City USA recertification. The mayor read the proclamation before the event was shortened in duration due to inclement weather.

ADJOURN

Motion by Member Rosenberg and seconded by Member Long. Vote was unanimous.

Meeting adjourned at 8:40pm.

Chairman:

Secretary:
