

Planning Board Meeting

August 20, 2018

Minutes

Members Present: Terry “Allen” Swaim, Errol Briggerman, Michael Clark, Victoria Curtis, Joe DeLoach, Lloyd Lancaster, Jonathan A. Olson, Grace Walter, and Ryan Zakany

Members Absent:

Staff Present: Planning Director David Bergmark, Planner II McKenzie Day, Planning Technician Wyatt McGhee, Clerk Sherry Scoggins

Guests Present: Travis Tyboroski, Jon Callahan, Don Kline, Mike Scisciani with Newland, Nick Robinson – attorney for Newland, Rev. James Lee, and Anna Freeman with the Zebulon Times

Note: Town Clerk Sherry Scoggins administered the oath of office to new Planning Board member Joe DeLoach prior to the start of the meeting.

1. Meeting Called to Order

Chairman Terry “Allen” Swaim called the meeting to order at 7:00 pm and recognized that a quorum (minimum of 5 members) was present. Chairman Swaim inquired as to whether any new members of the Planning Board needed to be sworn in. Planning Director David Bergmark replied that the last member that needed to be sworn in, Joe DeLoach, was sworn in before the start of the meeting. David Bergmark also noted that no one from the public had signed up on the Public Comment sheet.

2. Welcome and Recognition of Guests

Chairman Swaim welcomed the members of the Planning Board and guests to the meeting.

3. Chairman and Board Members’ Comments

There were no comments.

4. Adjustment and Approval of Agenda

Chairman Swaim asked if there were any adjustments to the agenda; as there were none, he then asked for a motion to approve. Jonathan Olson made a motion to approve the agenda; Michael Clark seconded the motion, which was unanimously approved.

5. Public Comments

Chairman Swaim confirmed with Mr. Bergmark that no one had signed up to make public comments; he then asked those present at the meeting if anyone would like to make any comments to the Board; no one indicated that they would.

6. Approval of Minutes

Chairman Swaim indicated that there were some changes that he would like to make to the minutes on page 2. He indicated that the text under item 9 included information from the Board meeting from a year ago, and that there were references to the previous Chairperson Anderson. He asked staff to revise the minutes to reflect these changes. He then asked for a motion to approve the minutes, with the noted revisions. Vice-Chairwoman Victoria Curtis made a motion to approve the minutes of the previous (July 16, 2018) meeting with the noted revisions. Jonathan Olson seconded the motion. The motion passed unanimously.

7. Discussion, Consideration, and Action on the Following Items:

- A. ZM18-02 – Discussion and Action on a Zoning Map Amendment request to rezone 9.58 acres (including ROW) located at 1112 Edgemont Rd (PIN # 1775705201) from R-30 (Wake) to R4 (Wendell)**

Chairman Swaim introduced this case and Mr. Bergmark, Planning Director, presented the following staff report and background information shown in *italics* below.

Item Title:

ZM18-02 – Zoning Map Amendment request to rezone 9.58 acres (including ROW) located at 1112 Edgemont Rd (PIN # 1775705201) from R-30 (Wake) to R4 (Wendell).

Report to the Planning Board:

- *Monday, August 20, 2018*

Specific Action Requested:

- *That the Planning Board consider the proposed rezoning request and make a recommendation to the Board of Commissioners, to include a statement of comprehensive plan consistency and reasonableness.*

Applicants:

Donald Kline (owner)

Petition:

The applicant has requested a change in zoning classification for 9 acres of property located at 1112 Edgemont Road, as well as 0.58 acres of adjacent right-of-way. The parcel in question is currently located within Wake County’s jurisdiction and is zoned Residential-30. The applicant has submitted an annexation and map amendment petition to request that this property be brought into Wendell’s jurisdiction and be given the zoning designation of Residential-4. The Edgemont Landings subdivision directly to the south is zoned R4-CD and the property owner is seeking to make this property more marketable by requesting that it be given a similar zoning designation. In this case, the applicant’s request is a traditional zoning designation (R4), rather than a conditional district, as he has no plans of developing the property himself.

Location and History:

The property included within this request is currently vacant. This property is not located within the corporate limits of the Town of Wendell, but annexation proceedings have begun. The property has no current road connections to Edgemont Landings and is divided by a Neuse stream buffer. As a result, it will likely be developed with other adjacent vacant properties to the north of the Edgemont Landings subdivision.

Justification:

The applicant has initiated the rezoning petition in order to make this property more marketable by bringing it into Wendell’s jurisdiction and zoning it in a similar fashion to the Edgemont Landings subdivision to the south.

Project Profile:

<i>PROPERTY LOCATION:</i>	<i>1112 Edgemont Rd</i>
<i>WAKE COUNTY PIN:</i>	<i>1775705201</i>
<i>ZONING DISTRICT:</i>	<i>Proposed R4/ Current R-30(WC)</i>
<i>CROSS REFERENCES:</i>	
<i>PROPERTY OWNER:</i>	<i>Donald Kline</i>
<i>APPLICANT:</i>	<i>Donald Kline</i>
<i>PROPERTY SIZE:</i>	<i>9 acres (with 0.58 acres of adjacent ROW)</i>
<i>CURRENT LAND USE:</i>	<i>vacant</i>
<i>PROPOSED LAND USE:</i>	<i>Residential</i>

Project Setting – Surrounding Districts and Land uses:

<u>DIRECTION</u>	<u>LANDUSE</u>	<u>ZONING</u>
<i>North</i>	<i>Vacant</i>	<i>R-30</i>
<i>South</i>	<i>Residential</i>	<i>R4-CD</i>
<i>East</i>	<i>Res./Manufacturing</i>	<i>R-20/I-2</i>
<i>West</i>	<i>Vacant</i>	<i>R-30</i>

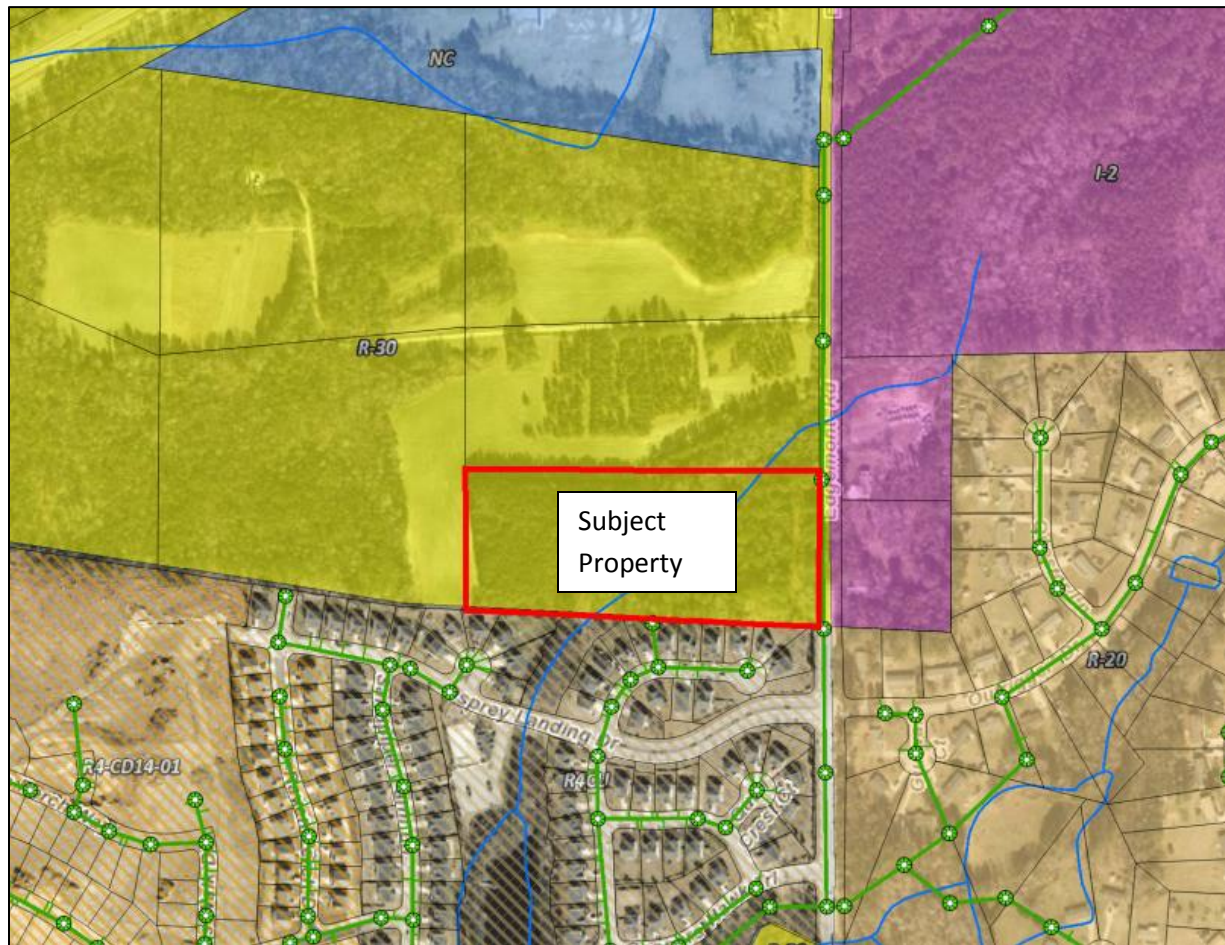
Zoning District:

The property included within this request is currently zoned Residential-30 (Wake County designation). The applicant has indicated a desire to rezone the property to Residential-4 (R4) in order to make it more marketable to potential buyers interested in developing the area north of the Edgemont Landings subdivision. The Edgemont Landings subdivision to the south is an R4 Conditional District. The applicant's rezoning petition would not be a conditional district, but seeks to have the same R4 dimensional standards. The R4 district has the following dimensional requirements for single family home lots:

<i>Min Lot Area:</i>	<i>6000 sq. ft</i>
<i>Min. Lot Width:</i>	<i>50 ft</i>
<i>Min. Lot Depth:</i>	<i>100 ft</i>
<i>Front Setback:</i>	<i>25 ft</i>
<i>Min. Side Setback:</i>	<i>10% of lot width</i>
<i>Rear Setback:</i>	<i>20 ft</i>

A copy of those uses allowed in the R4 zoning district is included as Attachment A.

Current Zoning Map:



Off-Street Parking:

At the time of development, parking spaces shall be provided in the amount specified by Chapter 10 of the Unified Development Ordinance (UDO).

Lighting:

Lighting shall be in accordance with the lighting requirements in place at the time of permitting.

Public Utilities:

Water and sewer is available at this site (pending annexation).

Streets:

All streets and drives shall meet the requirements as set forth in the UDO at the time of development.

Landscaping:

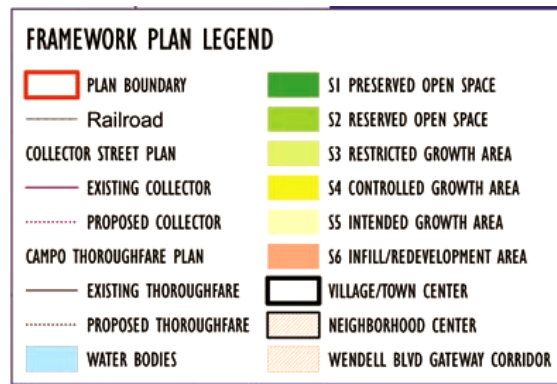
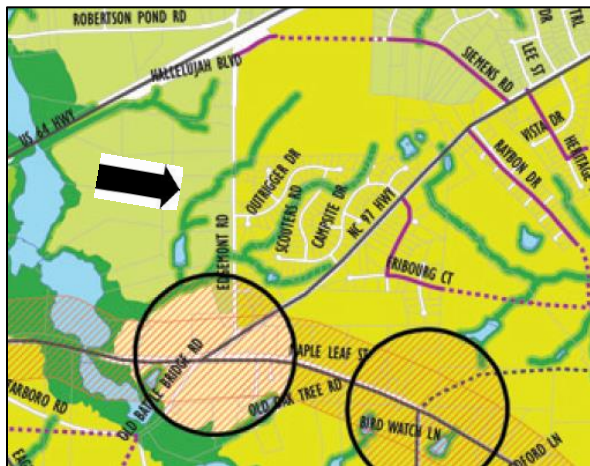
Landscaping shall be required to meet the requirements as set forth in the UDO at the time of development.

Stormwater Management:

Development disturbing more than 20,000 square feet of land would be required to meet the stormwater standards contained in the UDO at the time of site plan submission.

Comprehensive Plan:

The Wendell Comprehensive Plan defines this section as S3 “Restricted Growth Area”.



The Comprehensive Plan describes the S3 sector in the following manner: “Although not a formal open space sector, S-3 is intended for very limited development under tightly controlled conditions. This sector is generally classified as lands that are not proximate to thoroughfares and that are not projected to be high growth areas due to limited access to the transportation network and utilities. Generally, the S-3 areas are outside of the short range urban service area for water and sewer service and are close to S-1 and S-2 areas.”

The Comprehensive Plan identifies the community types and land uses appropriate for this sector as:

- *Low density cluster development or hamlets*
- *Single family residential development*
- *Very limited convenience retail uses*
- *Civic uses (parks, schools, religious and government uses)*
- *Some industrial uses*

Statement of Plan Consistency and Reasonableness

- *Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan, and is reasonable in nature.*
 - *In staff’s opinion, the requested zoning map amendment is consistent with the recommended uses (single-family development) outlined in the Wendell Comprehensive Land Use Plan for the S-3 sector. If the board has concerns over allowing R4 density outside of a conditional district in this area, it could consider assigning a Residential-3 (R3) designation instead, which has a minimum 10,000 square foot lot size requirement.*

Staff Recommendation:

Staff recommends approval of the rezoning request.

Attachments:

A. Table of Uses (R4 zoning district)

At the conclusion of his presentation, Mr. Bergmark answered questions and received comments from the Board, as follows:

The Planning Board asked questions about the current and proposed zoning, the zoning of the abutting Edgemont Landing subdivision, the projected land use in the Town’s Comprehensive Plan, and potential environmental impacts on the development of the property. Mr. Bergmark said the Edgemont Landing subdivision was a conditional district, which included conditions related to landscaping, design standards, and amenities. He said the approval of Edgemont Landings predated some changes in the legislature related to design standards. Mr. Bergmark said additional infrastructure and development had occurred since the comprehensive plan was developed, which explained why the area in question was considered appropriate for the S-3 sector. Mr. Bergmark clarified that there was a riparian buffer which crossed the property, but not any floodplain.

Chairman Swaim asked the applicant, Donald Kline, if he would like to make any comments. Mr. Kline presented some background information on the property. The Planning Board and Mr. Bergmark then had some additional discussion about the proposal and its relation to the Comprehensive Plan and whether it would be appropriate for the sector designation in the Comprehensive Plan (S3 “Restricted Growth Area” to be amended to the the S4 sector (Controlled Growth Area).

At the conclusion of the discussion, Chairman Swaim asked for a motion on the request.

Lloyd Lancaster made a motion to recommend approval of the rezoning request to R4 and to recommend that the Comprehensive Plan, as it applies to the area of this request, be amended from the S3 sector (Restricted Growth Area) to the S4 sector (Controlled Growth Area); Jonathan Olson seconded the motion. The motion passed unanimously.

B. Discussion and Action on a Planned Unit Development (PUD) amendment request for the Wendell Falls subdivision

Chairman Swaim introduced this case and Mr. Bergmark, Planning Director, presented the following staff report and background information shown in *italics* below.

Item Title:

Planned Unit Development (PUD) amendment request for the Wendell Falls subdivision.

Planning Board Meeting:

Monday, August 20, 2018

Specific Action Requested:

- *The Planning Board is asked to review a proposal to amend the Wendell Falls PUD document and provide any recommendations or comments to the Board of Commissioners.*
 - *Note: PUD amendments are approved as a Special Use Permit (SUP) amendment and thus are not required to appear before the Planning Board. Staff requested that this item come before the Planning Board to offer an opportunity for members to include any comments or suggestions prior to the Public Hearing scheduled for this item on September 10th.*

Applicant:

Nash Wendell Falls LLC

Item Summary:

The applicant has submitted a Special Use Permit (SUP) request to amend the Wendell Falls Planned Unit Development (PUD). A Planned Unit Development is a large-scale integrated development which provides higher quality community design and community amenities in exchange for greater flexibility in site design requirements.

The Wendell Falls Planned Unit Development was approved on November 9, 2015. Since that initial approval, the Wendell Falls development has sold nearly 600 residential lots, and begun work on multiple areas for commercial development. With nearly 4 years having passed, the applicant now seeks to make modifications to the existing PUD document to better fit current market conditions, as well as correct a few problems that have been identified since the initial approval. The boundaries of the PUD are not changing as part of this proposal, but some of the zoning and development standards within the PUD are requested to change.

A complete copy of the applicant’s proposed amendments and justification are included as Attachment A. In general, the applicant is seeking to make the following changes:

- 1. Amend Lot Building standards to address front setback issues that have occurred on corner lots (increasing maximum front setbacks for alley loaded products from 12 feet to 15 feet).*
- 2. Add a new residential building type for homes which front on a common open space*
- 3. Amend the maximum building heights (for apartments/condos, commercial buildings and mixed-use buildings) in Zones 2 and 3 from three stories to five stories.*
- 4. Modify the Wendell Falls Residential Design Guidelines to include buffering requirements between 4/5 story apartments if located adjacent to single family residential uses on the same side of a street.*
 - a. “Buffer yard required between apartment building greater than 3 stories and a single family detached or attached townhome adjacent on the same side of the street must be 25’ in width and may be comprised of a Type C landscape buffer and may include a public/private road.”*
- 5. Change the allowed mix of housing types so as to treat apartment units as a different type from attached townhome units, and modify the cap. Under the 2015 PUD Plan Document, apartment units and townhome units are lumped together under the “multi-family” category and capped at 1,400 total multi-family units. The applicant seeks to de-couple townhomes from apartment units such that the 2018 Amended PUD will allow up to 1,200 apartment units and up to 750 townhome units.*
- 6. Modify the Master Plan Map A-1 to redefine the Zone boundaries in order to make some additional land open to non-residential development.*

Staff Comments:

- 1. Staff supports the requested PUD amendment, but feels that the buffer yard between taller apartment buildings (4 – 5 stories) and single family homes on the same side of the road should require a Type B buffer, rather than a Type C buffer.*
 - o Type C buffers require 1 tree every 40 feet, and 1 shrub every 8 feet. Type B buffers require 1 tree every 25 feet and 1 shrub every 6 feet.*

Attachments:

A. Wendell Falls PUD Amendment Proposal

At the conclusion of his presentation, Mr. Bergmark answered questions and received comments from the Board, as follows:

Errol Briggerman asked where the proposed change to the allowed multi-family units [Item D] would occur within Wendell Falls. Mr. Bergmark responded that it could occur anywhere within Wendell Falls.

Chairman Swaim then asked if the applicant would like to address the Planning Board. Mike Scisciani and Nick Robinson presented information on the history of the Wendell Falls project. Michael Clark asked the applicant's representative why they were proposing a decrease in the number of single family units. The applicant's representatives replied that there is a need to distinguish between the number of apartments and townhouses, whereas the current cap makes no such distinction. The continued by noting that the proposed amendment would reduce the number of apartments that could be developed from 1400 to 1200 units. Grace Walter then inquired about the likelihood of 5 story apartments being developed. The applicants passed out copies and summarized the proposed multifamily guidelines to the member of the Planning Board, and concluded by commenting that there is a high likelihood of 4 to 5 story apartment buildings eventually being developed. After some additional discussion regarding the proposed multifamily changes, Lloyd Lancaster asked staff to explain staff's suggested changes to the buffer yard requirements.

Mr. Bergmark explained the change; Mike Scisciani indicated that they were ok with the proposed change, and that they will seek to minimize having 5 story buildings next to 1 story dwellings. Joe DeLoach then asked about the projected number of townhomes to be developed; Mike Scisciani replied that there are roughly 25 that have been sold and that 40 to 50 units are proposed. Chairman Swaim asked if the current residents of Wendell Falls have been consulted regarding the proposed changes. Mr. Bergmark replied that letters will be mailed to all Wendell Falls residents prior to the public hearing. Mike Scisciani noted that Newland will be having a meeting with the residents prior to the public hearing. After some additional discussion regarding the proposal, Victoria Curtis asked how many units would be expected in each apartment project. Mike Scisciani replied that there would be 250 to 300 units in each apartment project with a total of 3 to 4 apartment projects in Wendell Falls. Ms. Curtis then asked if the first floor of these buildings could be retail space. Mike Scisciani replied that initially that would probably not be the case, but it would be more likely later on, when there is more commercial development taking place in Wendell Falls.

At the conclusion of the discussion, Chairman Swaim asked for a motion on the request. Lloyd Lancaster made a motion to recommend accepting the request as written, except that there be no change to the buffering requirements; the motion failed for lack of a second.

Michael Clark then made a motion to recommend approval of the request as written, to include the staff recommended change to the buffer yard requirement, but to leave the 1,400 multifamily unit cap unchanged; Grace Walter seconded the motion. The motion passed by a vote of 5 in favor and 3 against, with the Chairman not voting.

C. CD18-01 – Discussion and Action on a Request to Create an R-3 Conditional District for property located at 1320 S. Hollybrook Rd

Chairman Swaim introduced this case and Mr. Bergmark, Planning Director, presented the following staff report and background information shown in italics below.

Item Title:

CD18-01 – Discussion and Action on a Request to Create an R-3 Conditional District for property located at 1320 S. Hollybrook Rd.

Report to the Planning Board:

- *Monday, August 20, 2018*

Specific Action Requested:

- *That the Planning Board consider the proposed conditional district request and make a recommendation to the Board of Commissioners, to include a statement of comprehensive plan consistency and reasonableness.*

Applicant:

Smith-Edwards LLC

Petition:

The applicant has requested to create a R3 conditional district for approximately 115.7 acres of property within the parcels identified by PIN# 1783921299 and PIN # 1783947008. The proposed conditional district consists of 341 single family development lots, an amenity site with a clubhouse and pool, as well as a proposed pump station. A link to view the submitted Master Plan is included as Attachment A.

The applicant has proposed to break the Master Plan into 5 phases, which would require separate Final Development Plan submittals.

Purpose of a Conditional District:

The purpose of the Conditional Districts (CD) is to provide an alternative means of land development and an alternative zoning procedure that may be used to establish residential, commercial, and industrial Conditional Districts at appropriate locations and in accordance with the planning and development objectives of the Town.

A CD may depart from the strict application of the requirements of the town's general zoning districts.

The CD alternative may allow uses which are not specifically allowed in standard zoning districts. A primary purpose of this section is to provide standards by which such flexibility may be achieved while maintaining and protecting the public health, safety and welfare of the citizens. In this case, no alternative uses or lot dimensional standards have been proposed by the applicant.

A second purpose of the conditional district is to establish a more complete living and working environment through the application of enlightened and imaginative approaches to community planning and property design. A CD should provide a variety of natural features and scenic areas, efficient and economical land use, improved amenities, orderly and economical development, and the protection of existing and future adjacent development.

The provisions of the CD Master Plan shall replace all conflicting development regulations set forth in this Ordinance which would otherwise apply to the development site. The Planning Board may recommend and the Board of Commissioners may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to this Ordinance and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site.

Location and History:

This majority of this property is currently located within Wendell's Extra Territorial Jurisdiction (ETJ) and is zoned Residential Agricultural (RA). The RA zone often serves as a holding zone until development is proposed. Approximately 8 acres of land within the parcel identified by PIN # 1783921299 falls within Wake County's jurisdiction and is zoned Residential-30 (R30). Annexation must be approved by the Wendell Board of Commissioners prior to the approval of the conditional district for the applicant to pursue the proposed project. 3.81 acres of the northern tract which has frontage along Selma Road has been excluded from the Conditional District and Annexation requests.

*To review the complete set of plans, please download the file at:
<http://www.townofwendell.com/files/hollybrook-rd-conditional-district>*

Project Profile:

PROPERTY # 1 LOCATION:	<i>1320 S. Hollybrook Rd</i>
WAKE COUNTY PIN:	<i>1783921299</i>
CURRENT ZONING DISTRICT:	<i>RA (Wendell) and R-30 (WC)</i>
CROSS REFERENCES:	<i>N/A</i>
PROPERTY OWNER:	<i>Smith Edwards LLC</i>
APPLICANT:	<i>Smith Edwards LLC 2505 Wendell Blvd Wendell, NC 27591</i>
PROPERTY SIZE:	<i>50.38 acres</i>
CURRENT LAND USE:	<i>Vacant</i>
PROPOSED LAND USE:	<i>Single Family Residential & pump station</i>

PROPERTY # 2 LOCATION: 0 S. Hollybrook Rd
WAKE COUNTY PIN: 1783947008
CURRENT ZONING DISTRICT: RA
CROSS REFERENCES: N/A
PROPERTY OWNER: Smith Edwards LLC
APPLICANT: Smith Edwards LLC
 2505 Wendell Blvd
 Wendell, NC 27591
PROPERTY SIZE: 60.5 acres of the 64.3 acre tract
CURRENT LAND USE: Vacant
PROPOSED LAND USE: Single Family Residential

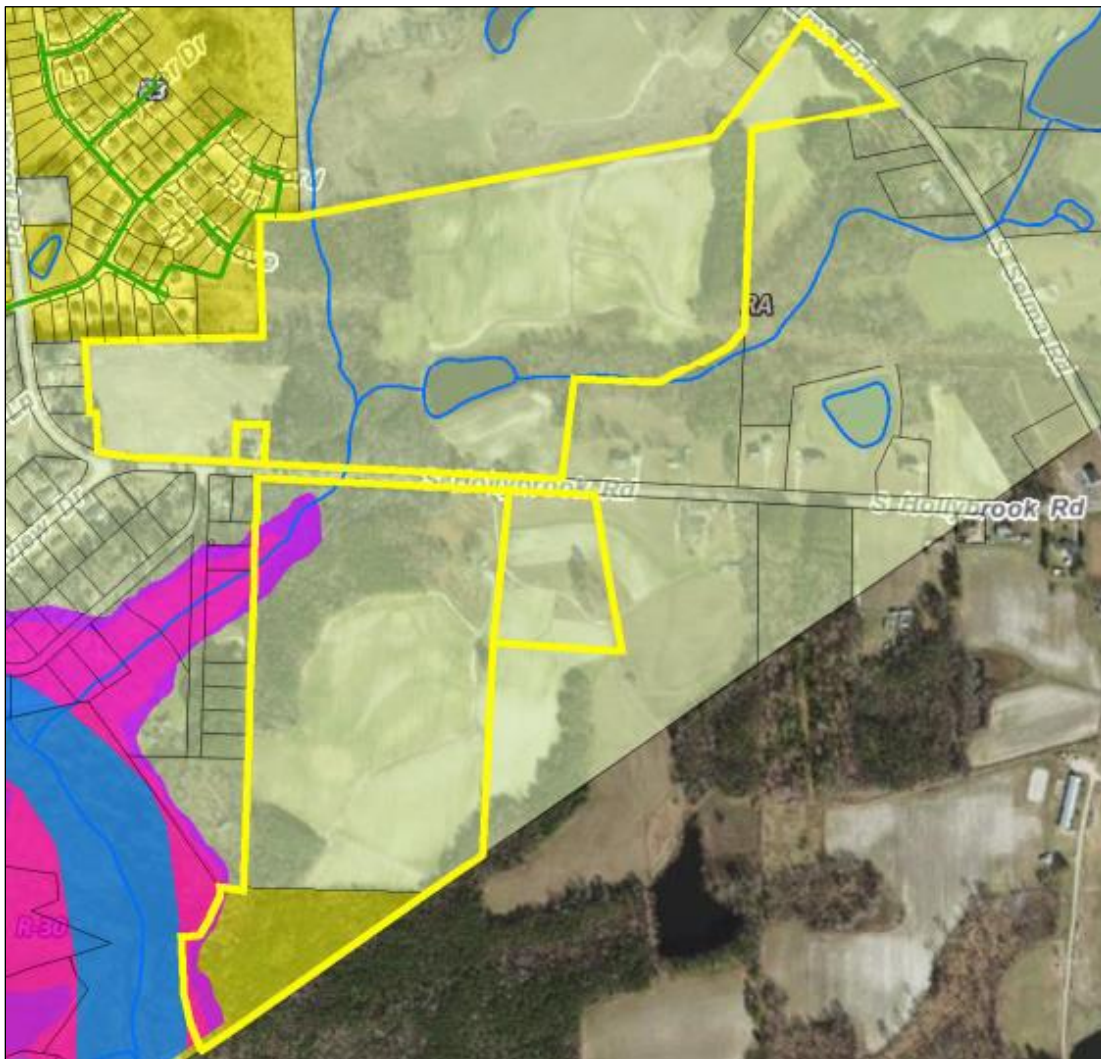
PROPERTY # 3 LOCATION: 1217 S. Hollybrook Rd
WAKE COUNTY PIN: 1783837560
CURRENT ZONING DISTRICT: RA
CROSS REFERENCES: N/A
PROPERTY OWNER: Smith Edwards LLC
APPLICANT: Smith Edwards LLC
 2505 Wendell Blvd
 Wendell, NC 27591
PROPERTY SIZE: 0.47 acres
CURRENT LAND USE: Single Family Residential
PROPOSED LAND USE: Single Family Residential

PROPERTY # 4 LOCATION: 0 S. Hollybrook Rd
WAKE COUNTY PIN: 1793020954
CURRENT ZONING DISTRICT: RA
CROSS REFERENCES: N/A
PROPERTY OWNER: Smith Edwards LLC
APPLICANT: Smith Edwards LLC
 2505 Wendell Blvd
 Wendell, NC 27591
PROPERTY SIZE: 6.82 acres
CURRENT LAND USE: Vacant
PROPOSED LAND USE: Single Family Residential

Project Setting – Surrounding Districts and Land uses:

<u>DIRECTION</u>	<u>LANDUSE</u>	<u>ZONING</u>
North	Residential	RA & R3
South	Agricultural	JC
East	Residential/Ag	RA
West	Residential	RA/R3

Current Zoning Map:



Proposed Conditional District Conditions:

The applicant is proposing 4 conditions for the proposed CD, as follows:

1. **(Requesting Concession)** Apply a minimum lot size of 6000 sq. feet (rather than 10,000).
Staff Comment: The applicant is proposing that the 10,000 square foot minimum lot size that would apply in the Residential-3(R3) zone be replaced with a 6,000 square foot minimum lot size that is more consistent with the R-4 zoning district. This would constitute a 40% increase in density if maximum density were achieved.

2. **(Requesting Concession)** Apply a 3 foot minimum side setback (min. 10' between buildings) instead of the 20% total lot width being applied to side setback.

Staff Comment: In the R-3 district, you typically have 10% of lot width on either side of the building reserved as a side setback. Based on the minimum lot width of the R3 zone (60 ft), this ensures that you have at least 6 feet between the dwelling and the side property line. The applicant is requesting to have the ability to apply a 3 ft side setback, with at least 10 feet between buildings.

Staff would prefer to avoid a building separation figure, as it complicates permitting when the reviewer must check any adjacent lots prior to approving the submitted lot to determine if they were already permitted for a home, and how far that adjacent home would sit from the property line.

The requested 3 ft setback is more consistent with the R-7 or Neighborhood Center (NC) zoning districts. Using the 10% on either side rule, the R4 district would require a 5 ft side setback.

3. **(Clarification)** Apply a parking ratio to the amenity site of 1/1,000 SF + 1/75 SF of water surface for the pool.

The applicant is showing a total of 54 parking spaces on the amenity site. This condition is less of a request of the town, than a clarification of how to address pool parking, which is not clearly defined in the UDO.

Staff finds that the request is acceptable.

4. **(Offering Improvement)** Providing 25 acres of open space; only 13.7 acres of open space is required based on 341 lots.

Per Chapter 7 of the UDO, up to one-half of the total open space land required may be located within areas of special flood hazard, including the 100-year floodplain. Easements or areas for public utility transmission lines shall not

receive credit as open space. Similarly, dry detention structures may not be towards open space calculations. In response to staff inquiries, the applicant has stated that dry detention structures will not be used.

Based on the plan submittal, staff cannot confirm how much of the open space provided falls outside of riparian buffers. While riparian buffers may be counted towards open space, staff would prefer to see these areas identified (with acreages), as they are not developable land. Thus, staff cannot speak to how much open space they are providing which they could otherwise develop.

For Improved/Active open space, the applicant has identified the Club house lot, which is 3 acres in size, located on the north side of S. Hollybrook R, and the trail leading from this site to the street to the north.

5. **Staff recommended condition 5** – Pedestrian connection between ‘Club 1’ tract (amenity site) and loop road to the north shall be required to be a paved surface with a minimum width of 8 feet, except where topography or environmental conditions require that a boardwalk be used. Applicant shall be responsible for obtaining all required permits for stream and utility easement crossings.
6. **Staff recommended condition 6** – That the proposed Pump Station be screened from view with a Type A buffer surrounding it. Existing vegetation may be counted towards this requirement.
7. **Staff recommended condition 7** – That a Type B buffer be incorporated along the eastern boundary of ‘Club 1’ tract to create a greater sense of separation between the amenity site and the existing single family residence to the east. Existing vegetation may count towards this requirement.

Technical Corrections which would impact design (to be made prior to approval)

1. **Staff Correction # 1** –All lots with riparian buffers located within their lot boundaries must be amended to exclude any riparian buffer areas, unless an exception with lots identified is specifically requested as a condition of this conditional district request.
 - Example – lots 14-16 all have riparian buffers in their rear yards. This is not permitted per the UDO. The road alignment could be shifted slightly to the west to exclude the riparian buffer.
2. **Staff Correction # 2** –Development plan must address cluster mail box locations. If the Postmaster requires these to be located outside of the road right-of-way, the applicant must amend his plans to accommodate this use and provide associated off-street parking to serve this use.
3. **Staff Correction # 3** – The applicant has included several lots with lot widths of less than 60 feet in width. However, their requested conditions do not include a reduction in lot width from the typical R3 standard, which is 60 feet. These lots must be corrected, or an additional condition request to amend lot width must be made by the applicant.

As previously stated one purpose of the conditional district is to establish a more complete living and working environment through the application of enlightened and imaginative approaches to

community planning and property design. A CD should provide a variety of natural features and scenic areas, efficient and economical land use, improved amenities, orderly and economical development, and the protection of existing and future adjacent development.

While conditional districts do allow an applicant to ask for exemptions from certain types of standards as part of their application, those exemptions are intended to be offset by other improvements which go above and beyond what is required. This process allows for creative trade-offs that can result in a better overall product.

As currently proposed, the Master Development Plan seeks to gain additional density and reduced setbacks in exchange for extra open space and an amenity center which exceeds the town's minimum requirements.

Applicant's Justification:

The applicant's justification and summary conditions is included as Attachment B

Off-Street Parking:

No off street parking is required for single family dwellings. Fifty-four parking spaces are shown on the amenity site. Depending on where cluster mailboxes are located, a small number of additional parking spaces may be required to accommodate this use.

Open Space:

The applicant is required to dedicate a minimum of 13.7 acres of open space, with a minimum of 3.42 acres of Park Space, as set forth in the UDO. Of those 3.42 acres of Park Space, 1.13 acres must be designed for active recreational purposes. The applicant is proposing to dedicate 3.03 acres of park space within the Club/amenity tract, plus an additional ~0.45 acres of park space for a pedestrian connection between the club tract and the residential road to the north (for a total of ~3.48 acres). The active recreational open space requirement would be satisfied by the pool and club house.

Overall, the applicant is proposing to dedicate 25 acres of open space, with a significant portion of this area being used for stormwater management, or falling within riparian buffers.

Per Chapter 7 of the UDO, up to one-half of the total open space land required may be located within areas of special flood hazard, including the 100-year floodplain. Easements or areas for public utility transmission lines shall not receive credit as open space. Similarly, dry detention structures may not be towards open space calculations.

Based on the plan submittal, staff cannot calculate how much of the open space provided falls within riparian buffers. Though these areas may be considered 'open space', they are

undevelopable per the UDO, and thus don't truly represent an improvement or benefit which the applicant is providing in exchange for other concessions. In response to staff's inquiries, the applicant has stated that no dry detention structures shall be included within the Storm Water Management (SWM) areas.

Lighting:

Lighting shall meet the requirements as set forth in the UDO at the time of the final development plan.

Public Utilities:

Public water and sewer will be extended at the time of development. Per the adopted Water Allocation Policy, this project has 38 base points and must provide 12 bonus points. The applicant has proposed to provide 7.8 acres of additional open space for conservation (7 points), a pool (2 points), an outdoor patio area of more than 3000 square feet (3 points), and a Meeting space without a kitchen more than 3500 square feet in size (8 points). As proposed, these improvements would bring the applicant's point total to 58 points.

Per the applicant's submittal, "A new pump station is proposed at the southern end of the Glen at Hollybrook parcel. The total Hollybrook development accounts for approximately 10% of the sewer basin. The new pump station, per coordination with the City of Raleigh, will be constructed to provide 25% of total build out for pumps, electrical, generator, odor control, and 50% for structure, electrical building, and force main while also allowing for future expansion for full capacity of the entire basin."

The applicant has been working with the City of Raleigh Public Utilities Department (CORPUD) to facilitate this use, which would require CORPUD approval.

Streets:

At the time of construction of all new roads, the standards are to be met as specified by Chapter 12 of the UDO.

Per the Town's Arterial and Collector Street Plan (ACS), the applicant will be responsible for minor widening along S. Hollybrook Road, in order for the road to meet the Town's standard for a Minor Collector (2 lane undivided). These improvements are reflected in their plan, and will involve 3.5 feet of additional right-of-way dedication on either side of S. Hollybrook Road.

All internal subdivision roads shall be designed as a Local Street (52' ROW) or Residential Main Street (64' ROW). Residential Main Streets allow for on-street parking on both sides.

All drives shall meet the requirements as set forth in the UDO at the time of development.

Based upon the size of this proposed development, a Transportation Impact Assessment will be required prior to approval to address items such as turn lanes along S. Hollybrook Road, etc.

Landscaping:

All landscaping shall meet the requirements as set forth in the UDO at the time of the Final Development Plan and building permits.

Stormwater Management:

Development of this site would be required to meet the stormwater standards contained in the UDO.

Phasing:

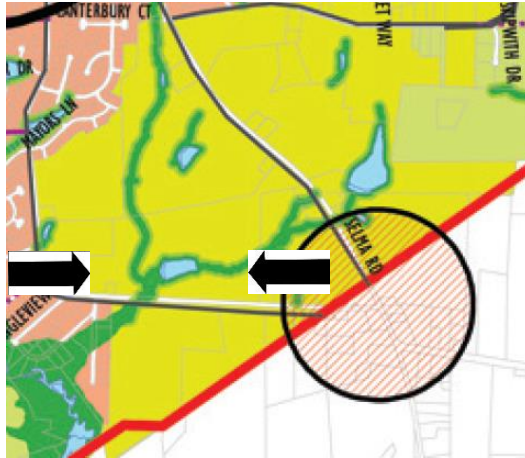
The applicant has proposed to break the Master Plan into 5 phases, which would require separate Final Development Plan submittals. The phasing plan is shown on Page 7 of the Master Plan pdf. (See Attachment A)

Comprehensive Plan:

The Wendell Comprehensive Plan defines the subject properties as being completely within the S-4 “Controlled Growth Sector”.

The Comprehensive Plan states that S-4 areas “are typically close to thoroughfares and at key cross-road locations. This sector is where moderate intensity new development is appropriate and where the majority of the community’s new growth should occur. The typically envisioned community type for S-4 is a traditional neighborhood development (TND), which includes neighborhood serving commercial and civic uses surrounded by a mix of housing types that decrease in density as they get farther away from the commercial area.”

The Comprehensive Plan lists the following uses as appropriate land uses/development types within this sector: traditional neighborhood developments, neighborhood centers, single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses, and industrial uses. The proposed development on the site meets the appropriate uses.



Statement of Plan Consistency and Reasonableness

- Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan, and is reasonable in nature.
 - In staff's opinion, the requested conditional district is consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 sector.

Staff Comments:

- Staff included 3 recommended conditions and 3 technical corrections within the 'Proposed Conditional District Conditions' section of this report.
- While the proposed amenity center clearly exceeds the Town's minimum standards, staff questions the value of the majority of the extra open space provided, as it is land which could not otherwise be developed and thus does not represent a true trade-off by the applicant.
- Staff has some concerns regarding convenient access to improved open space, as it is solely located on the northern side of S. Hollybrook Rd.
- Staff recommends that the Planning Board delay action until its next meeting, to allow the Technical Review Committee to conduct their review of the development plan, as well as give the applicant the opportunity to make any corrections or changes identified to date.

Attachments:

- A. Master Development Plan (Due to file size, to review the complete set of plans, please download the file at: <http://www.townofwendell.com/files/hollybrook-rd-conditional-district>)

B. Applicant's Justification Statement and Proposed Conditions.

Mr. Bergmark noted that the applicant decided to change the requested side yard setback requirement from 3 feet to 5 feet, after the meeting materials had been emailed to the Board. Mr. Bergmark also pointed out that the areas shown on the Current Zoning Map to be included in the Conditional District request needed to be amended to exclude the triangular area that touches Selma Road and the far southern portion of the request that is not within the Town's ETJ, and to include a rectangular area on the south side of Hollybrook Road that is immediately east of the area shown in the request. At the conclusion of his presentation, Mr. Bergmark answered questions and received comments from the Board, as follows:

Ryan Zakany asked about the acreage and location of the proposed open space and how many dwellings would be located on the north side vs the south side of Hollybrook; the applicant's representative responded that there would be approximately 140 on the north side and approximately 200 on the south side. After some discussion regarding the type of siding that would be allowed and the proposed lot sizes, Ryan Zakany asked if the R4 zoning district would be a better option; Jon Callahan replied that the R3 district currently exists on nearby properties and that the overall proposed density would be consistent with the R3 district. Mr. Callahan also indicated that the applicant would be ok with a 5 foot side setback requirement and a minimum 55 foot lot width requirement.

After some additional discussion regarding the appropriateness of the R4 vs the R3 zoning district, Chairman Swaim asked for a motion on the request.

Michael Clark made a motion to delay this request until the next Planning Board meeting, as recommended by staff, in order to allow the Technical Review Committee comments to be compiled; the motion was seconded by Vice-Chairwoman Victoria Curtis. The motion passed unanimously.

Jonathan Olson then asked how far out the traffic impact assessment would extend. Mr. Bergmark indicated that Engineers would take a look at the potential traffic impacts and determine the extent of the assessment. The applicant indicated that NCDOT had told them that 6 intersections would likely be reviewed.

8. Adjourn to Next Regularly Scheduled Meeting

At the conclusion of the previous discussion, Chairman Swaim asked for a motion to adjourn. Jonathan Olson made a motion to adjourn the meeting; Michael Clark seconded the motion. The motion passed unanimously and the meeting adjourned at approximately 9:03 pm.