

Archdale Planning and Zoning Board  
Regular Meeting  
Monday, November 1, 2021

**Members Present:** Larry Thomas, Chairman; Larry Linthicum, Vice-Chairman; Board Members: Brent Kinney, Chris Collins, Mitch Miller, Bob Kollm, Chris Spillers, and Joy Sparks.

**Members Absent:** Scott Greene.

**Others Present:** Jason Miller, Planning Director; Matthew Wells, Planning Administrator; Duncan Walser, Planning Technician.

**Item 1.** Call to Order, Welcome, and Register of Attendance

Chairman Thomas welcomed everyone and explained the procedures for the Planning and Zoning Board meeting.

**Item 2.** Approval of the Minutes

Chairman Thomas stated the next order of business was the approval of the minutes from the October 4th, 2021 meeting.

**Mr. Mitch Miller made a motion to approve the October 4th, 2021 minutes as written. Vice-Chairman Linthicum seconded the motion, and it was approved unanimously by the Board.**

**Item 3.** Public Hearing: Public Hearing: Rezoning Request by Keystone Group, Inc. for Property at 4805 Archdale Rd. from R-15 to CD R-AH

Jason Miller gave the staff report for this rezoning request.

**Overview**

The applicant, Keystone Group, Inc., is seeking to rezone ± 52 acres, located at 4805 Archdale Road, from R-15 (Single-Family Residential) to CD R-AH (Conditional Residential Attached Housing) in order to construct a residential development of 201 townhomes. Single-family attached housing developments require a Special Use Permit or Conditional R-AH Zoning and must conform to Special Requirement 40 (SR 40) in Section 6.5 of the Zoning Ordinance.

**Area Land Use**

The subject property is bounded to the north by light industrial uses within the Archdale Industrial Park. The eastern boundary of the site adjoins single family homes in the Trindale Forest Subdivision. The southern portion of the site adjoins the Robins Nest Subdivision, comprised of single-family homes and zoned R-15. The southwestern boundary of the property contains 750 feet of frontage along Robin Lane and existing Right-of-way (ROW) connecting Robin Lane / Robin Circle to Archdale Road. The western boundary of the site possesses approximately 1,130 feet of road frontage along Archdale Road. Properties along the western side of Archdale Road are mainly comprised of single-family homes and zoned R-15. Allred & Company Realtors and the Fellowship Bible Baptist Church of High Point are directly west of the site, located at the intersection of Archdale Road and Don Avenue.

### **Proposed Site Details & Amenities**

The applicant is proposing 201 townhomes: 150 two-bedroom units and 51 three-bedroom units. A site plan and building elevations are submitted as conditions of this rezoning request. The internal public streets will be 25' back-to-back valley curb and have a 5-foot sidewalk on at least one side of the street. City parking standards have been met. All units will have a garage, with most units having a two-car garage. Additional parking is provided in front of each unit. The development will be properly screened from adjoining residentially zoned property to the south by a 20' vegetated buffer. The frontage along Archdale Road will have a berm and meet the City's thoroughfare planting yard requirements. The applicant is proposing the construction of a clubhouse and pool to serve residents, which would be maintained by a private Homeowner's Association (HOA). The applicant has submitted building elevations (*See Building Elevations*) illustrating the architectural standards for the corresponding building types shown on the site plan.

The applicant is proposing to construct a 10'-wide asphalt greenway through the development (*See Site Plan*). The proposed greenway will extend from Archdale Road to the eastern boundary of the site, facilitating a connection to the greenway's current terminus in Trindale Forest. Additional greenway is proposed within existing ROW along the southwestern boundary of the site, connecting the second entrance of the development at Robin Lane / Robin Circle to Archdale Road. The greenway network will be owned and maintained by the City upon completion. The proposed site plan also shows internal sidewalk that provides pedestrian connectivity from sidewalk along the development's public streets to the greenway system. All open space and sidewalk not within a public ROW will be dedicated and maintained by the HOA.

### **TRC Review**

The Technical Review Committee (TRC) reviewed and approved the site plan on October 13<sup>th</sup> (*See TRC Minutes*) and the applicant has revised the plan to reflect TRC comments. Water and Sewer service will be available from extensions of existing City of Archdale water and sewer lines. The submitted utility plan shows the proposed water lines, sewer lines, and storm drainage and stormwater management devices to indicate that the project is feasible for utility service and providing stormwater management. If the rezoning request is approved, the applicant can begin the process of preparing detailed construction, engineering, and stormwater drawings and begin preparing the site for final plat approval.

### **TIA Review**

A Traffic Impact Analysis (TIA) was conducted by Davenport and reviewed by the City and NCDOT (*See TIA*). The TIA recommended a southbound left-turn lane on Archdale Road with 100' of storage and appropriate taper. There is a STIP project adjacent to the site (U-3400), which will widen Archdale Road; construction is currently scheduled to begin in 2025. The turning lane(s) will be required by the developer at 90% build out if prior to the STIP project.

### **Requested Waivers & Modifications**

- The applicant is requesting to construct an internal sidewalk to connect two proposed greenway segments within the site rather than sidewalk in the ROW along Archdale Road for the length of the property, as required by the Pedestrian Network Plan.
- The proposed site plan has one entrance on a thoroughfare (Archdale Road) and one on a local road (Robin Lane / Robin Circle) rather than two access points to the thoroughfare, as required for developments with more than 100 units in SR 40.

### **Consistency With *Plan Archdale***

The City's adopted Future Land Use Plan has this site designated as Green Belt. The Green Belt place type is primarily intended to preserve large swaths of land along the City's many miles of creeks and their associated floodplains. By preserving a large swath of open space through the heart of the City, the Green Belt provides opportunities to link neighborhoods to parks, employment, and shopping, as well as the larger external bicycle and pedestrian network. The Green Belt will also provide additional opportunities for passive recreation, serve as a vital connector for wildlife, and help the City meet its stormwater runoff / water quality requirements more easily.

The subject property enjoys many of the traits described by the Green Belt place type and substantial wetlands make portions of the property difficult to develop. The character of this site led to it being identified as one of three suitable locations for a Neighborhood Park in the City's Comprehensive Parks and Recreation Plan.

The request to rezone this property to CD R-AH as submitted is not consistent with the Green Belt place type and the City's adopted Future Land Use Plan. However, Staff feels this R-AH development could serve as a good buffer from the industrial zoned areas to the north of the subject property and the single-family residential uses to the south. The applicant has improved the site plan to address the goals of the Comprehensive Plan and the spirit of the Green Belt place type by incorporating significant pedestrian infrastructure into the proposed site plan, promoting many of the focus areas and goals of Plan Archdale and creating a more livable and inclusive community. Staff, however, feels that more open space can be preserved and recommends the following be added to the proposed site plan:

- Preserving more open space on the site, specifically around the proposed Stormwater Management Devices (SCMs).
- Adding sidewalk to both sides of the street for all internal streets.

If approved, this rezoning will change the City of Archdale's Future Land Use Plan designation for the developed portion of this property to the Suburban Neighborhoods place type.

Chairman Thomas thanked Mr. Miller. Chairman Thomas then opened the public hearing. He asked if anyone was in support of the request.

Amanda Hodierna, 804 Green Valley Road, Suite 200 (Greensboro, NC) came forward and introduced herself as representing the developer, Keystone Group Inc., and then introduced its owner, Scott Wallace.

Scott Wallace, 3708 Alliance Drive (Greensboro, NC) introduced himself as the owner and co-founder of Keystone Group Inc. He said he had been working in the area for 27 years and that his company was a local builder that had built communities across the Triad. Mr. Wallace explained that they had recently found a niche in creating active adult communities with the growing demographic of "empty nester" couples looking to downsize as they head into retirement. He said he hopes to be able to bring a first-class community into Archdale and that he was available for any questions.

Ms. Hodierna continued with a PowerPoint presentation that highlighted the proposed community, which included 201 townhomes on 51 acres. She highlighted that the community met

the required open space and that they were building on less than 8 units an acre and below the maximum 50% impervious buildout for R-AH communities (37.3% buildout). Ms. Hodierne continued and showed that these efforts were consistent with the Future Land Use Plan Green Belt place type. She also showed that the developer had shown willingness to include greenway and sidewalk connections as illustrated in the comprehensive plan (Plan Archdale) and the Pedestrian and Trail Master Plan. Ms. Hodierne then highlighted how this community met the four main goals of Plan Archdale: Creating a More Livable and Inclusive Community; Building a Strong, Diverse, and Resilient Economy; Managing Growth in a Vibrant and Dynamic City; and Fostering a Sense of Place. She concluded by showing, on a map, similar communities in the Triad and the developer's commitment to a high quality, well landscaped product. Lastly, she introduced Rich Glover, engineer for the project.

Chairman Thomas then asked if anyone was against the request.

There was no one present against the request.

Chairman Thomas then closed the public hearing and turned it over to the Planning Board for discussion and possible action.

Chairman Thomas asked for the square footage of the units. Mr. Wallace responded that most were 1,900 square feet or above and that they had either one or two-car garages. Chairman Thomas asked why two entrances were not put onto Archdale Road, as required in the ordinance. Ms. Hodierne answered that due to open space requirements, stream buffers, and NCDOT requirements on driveway locations, they were limited on locations and felt that one entrance onto Archdale Road and one onto Robin Lane would satisfy the development.

Vice-Chairman Linthicum asked why the developer put the second entrance out to Robin Lane instead of going across to Roby Drive. Mr. Glover responded that there was a parcel in between their development and Roby Drive as well as a floodway that would be difficult to cross. Mr. Linthicum countered that Robin Lane was a narrow road with S-curves and no curbs. He said he has seen head-on collisions happen in this area. Mr. Glover explained that their entrance would help to make this intersection with Robin Lane and Robin Circle a T-intersection.

Mr. Kinney asked if the roads in the Robins Nest neighborhood were maintained by NCDOT to which Mr. Miller replied in the negative.

Mr. Collins asked if the property had been bought by the developer. Ms. Hodierne explained that it was under contract to which Mr. Wallace added that a successful rezoning was part of the requirements for the sale to be completed.

Mr. Kollm asked about the units' cost. Mr. Wallace said there would be no low-income units and that it would be a high-quality that would be reflected in the price. Ms. Hodierne commented that the market rate would ultimately determine the units' final selling cost and that there would be no low-income subsidies provided.

At this point, Staff entered into the record a petition presented to them by James Davis, 593 Robin Lane, that stated the following (*note – the following is a verbatim transcript and may contain grammatical errors*):

We the homeowners of Robin Nest Subdivision, are signing this petition to request that the City of Archdale does not allow the builder who purchased the Bouldin property adjacent

to Robins Nest subdivision, to build low-income housing, apartments, or condominiums on this property.

10/28/21 / Also no renting of properties

Chairman Thomas then clarified the Special Use Permit process and stated that the Planning Board was a recommending body to City Council. He also explained that the Board could not include a condition of renter versus owner occupied units.

Mr. Kinney echoed Vice-Chairman Linthicum's concern about the Robin Lane connection and that the neighborhood had narrow, unimproved roads.

Mr. Collins asked if the developer had driven through the neighborhood. Mr. Wallace said he had driven through Robins Nest on several occasions and agreed that connections into neighborhoods can be problematic and tricky. He said that the connection from Robin Lane would be more of a benefit for the citizens of Robins Nest as it would give them a cut-through to Archdale Road. Mr. Wallace said that in the TRC that he had a discussion with staff about installing traffic calming measures, such as speed tables.

Mr. Kollm commented that discussion about entrances could be alleviated if they reduced the development to under 100 units, which, which would only require one entrance, per the ordinance. Ms. Hodiernie replied that the reserved right-of-way to the south and the connection made to Robin Lane and Robin Circle would allow the City to construct this connection. Mr. Kollm asked if the developer would be willing to fund this connection. Ms. Hodiernie responded that this was an off-site improvement, but the City could use it to set up the future connection. Mr. Kollm questioned if this connection to Robin Lane met the ordinance's definition of a thoroughfare. Ms. Hodiernie answered that with the requirement of two entrances, this was the best option for the site plan. She also stated that ordinances aren't always a "one-size-fits-all" policy and that the TIA, which was approved by NCDOT Congestion Management, only called for one entrance. Mr. Kollm expressed concern that this seemed like a way to circumvent the ordinance, which was put into place to protect the community.

Mr. Spillers asked if it was possible for a connection to be made to the Archdale Industrial Park (Navajo Drive or Aztec Drive). Mr. Kollm said that the creek crossing would be a mitigating factor. Ms. Hodiernie agreed with Mr. Kollm and said that the entrance from Robin Lane could be closed off with a gate and a Knox Box for emergency access. She also mentioned that it was important for the developer to keep the stream intact and to be environmentally sensitive.

**With no further discussion, Mr. Linthicum made a motion to recommend denial of the conditional district rezoning based on inconsistencies with the comprehensive plan. Mr. Collins seconded the motion, and it was recommended to be denied unanimously.**

Mr. Kollm thanked the developer and said he appreciated their efforts and intent on the site plan. Mr. Collins said it was a good product, but not a good fit for the property in question.

**Item 4.** High Density Development Permit Request By Keystone Group, Inc. for Property at 4805 Archdale Rd.

Matthew Wells gave the staff report for this HDDP request, which is in reference to the previous item.

Keystone Group, Inc. is seeking a HDDP to construct 201 townhomes on a property located along Archdale Road. The project will control the first 1-inch of stormwater runoff as required by high density development. The estimated built upon area on the property is 37.3% (of 50% maximum) of the parcel's 51.91 acres and the project is estimated to be completed in 2023-2024.

Chairman Thomas thanked Mr. Wells. Chairman Thomas then stated that this was not a public hearing, but the applicant could come forward to make their case.

Amanda Hodiernne, 804 Green Valley Road, Suite 200 (Greensboro, NC), spoke on behalf of the developer and reiterated that this plan met the intent of the stormwater ordinance and was only building on 37.3% of the maximum 50% buildout allowed in R-AH. She stated this was a lower density than allowed by the ordinance.

Chairman Thomas asked staff if this could be approved. Ms. Hodiernne asked if the item would still go to City Council. Mr. Miller said it would have to be given a recommendation as it must go to City Council.

Mr. Kollm stated that the permit looked good and could be approved, despite the recommendation to deny the development.

**With no further discussion, Vice-Chairman Linthicum made a motion to recommend denial of the High Density Development Permit (HDDP) based on the conditional district rezoning being denied. Mr. Collins seconded the motion and it failed 3-4.**

**Yay: Linthicum, Collins, M. Miller.  
Nay: Kinney, Kollm, Sparks, Spillers.**

A discussion ensued among the Board about the HDDP. Chairman Thomas asked if, because of the failed motion, if it would revert to the Nay vote. Mr. Wells said they would have to do the motion again as it was needed to move on to City Council.

**With no further discussion, Mr. Kollm made a motion to recommend approval of the High Density Development Permit (HDDP). Mr. Spillers seconded the motion, and it was approved 6-1.**

**Yay: Kollm, Spillers, Kinney, Sparks Collins, M. Miller.  
Nay: Linthicum.**

**Item 5. Public Hearing: Request by The City Of Archdale to Amend Article III And XVII ff The City's Zoning Ordinance.**

Duncan Walser gave the staff report for this request.

The following is a potential text amendment to the City's Zoning Ordinance enabling the regulation of Mobile Food Vendors. The amendment would prohibit the operation of Mobile Food Vendors on public right-of-way and property unless otherwise approved. The operation of a Mobile Food Vendor unit would require the acquisition of a zoning permit for the parcel where the vendor seeks to operate. Additional restrictions would be imposed based on the vendor's location relative to other uses, utilities, and traffic facilities. The amendment would also impose restrictions on hours of operation and signage.

Chairman Thomas thanked Mr. Walser. Chairman Thomas then opened the public hearing. He asked if anyone was in support of the request.

There was no present for the request.

Chairman Thomas then asked if anyone was against the request.

There was no one present against the request.

Chairman Thomas asked about the 100-foot rule, to which Mr. Walser said it was referencing the distance from the front door of a brick-and-mortar restaurant. Mr. Kinney asked if there was a definition of a “primary entrance”. Mr. Walser said staff would look into clarifying that language if need be. Vice-Chairman Linthicum asked if the food trucks that would be at the Firehouse Taproom would be far enough away from Waffle House and other local restaurants to which Mr. Walser confirmed. Mr. Collins and Chairman Thomas asked if this rule would affect food trucks at the Firehouse Taproom. Mr. Walser responded that the Firehouse Taproom was approved as a bar and is under the same ownership. Mr. Mitch Miller asked if the Firehouse Taproom would only have food trucks and that there would be no food prepared inside, to which Mr. Walser confirmed and clarified that it had been approved as a bar and not a restaurant.

Chairman Thomas asked about the zoning permit. Mr. Walser said it would be a standard \$40 zoning permit and it would follow the parcel and not the mobile vendor. Mr. Spillers asked about the length of the permit’s validity to which Mr. Walser said it was indefinite. Mr. Spillers then asked about the permitting for brick and mortar restaurants. Mr. Walser said they did not need to have permits from the City unless it was a new building.

Mr. Kollm expressed some concern about requirement #11 only allowing food trucks for 8 hours and recommended that it be changed to 12 hours. He then asked about requirement #12 and why the vendors could not operate on vacant lots. Mr. Walser said this was added to stipulate that the mobile food vendor be a secondary use and not become an unfair advantage to existing brick-and-mortar restaurants.

Mr. Kinney asked about requirement #1 and said he felt that the term “operate” needed to be clarified as he felt it was ambiguous. Mr. Walser said it was written that way to distinguish between just parking the vehicle and parking to operate as a vendor. Mr. Kollm asked if the term could be changed to “conducting sales” instead. Chairman Thomas said the Board had the ability, in their motion, to recommend changes.

**With no further discussion, Mr. Kollm made a motion to approve the text amendment with the conditions listed below. Mr. Kinney seconded the motion, and it was approved unanimously.**

- 1. On Requirement #1, change the word “operating” to “conducting sales”**
- 2. On Requirement #11, change the operating times from 8 hours to 12 hours**

**Item 6. Additional Items**

There were no additional items.

**Item 7. Adjournment**

With no further discussion, Chairman Thomas adjourned the Monday, November 1st, 2021 meeting.