



Town of Knightdale

Staff Report

Title: Old Milburnie Village Utility
Allocation Agreement

Staff: Kevin Lewis, Senior Planner

Date: December 21, 2022

Director Signature: JB

Asst. Town Manager Signature: DT

Town Manager Signature: WRS

I. REQUEST:

McAdams Co, on behalf of JPM South Development and Trigate-Suncrest Brio West LLC, has requested that the Town Council consider approving the proposed Utility Allocation Agreement (UAA) for the Old Milburnie Village development. The developer, Town Attorney, and staff have reviewed the proposed UAA and find it acceptable.

II. PROJECT PROFILE:

PROPERTY LOCATION:	2812 and 2824 Old Milburnie Road, 1712 Old Crews Road
WAKE COUNTY PIN:	1745-87-2891, 1745-97-2793, and 1755-17-9228
ZONING DISTRICT	General Residential 3-Planned Unit Development
NAME OF PROJECT:	Old Milburnie Village
APPLICANT:	Trigate-Suncrest Brio West LLC
PROPERTY OWNER:	Trigate-Suncrest Brio West LLC
PROPERTY SIZE:	91.53 acres
APPROVED LAND USE:	177 single-family lots and 90 townhome units

III. PROJECT HISTORY:

On July 21, 2021, the Town Council approved a request (ZMA-9-20; ORD #21-07-21-006) to rezone and develop 92 acres between Old Milburnie Road and Old Crews Road. The development is identified by the Wake County PINs 1745-87-2891, 1745-97-2793, and 1755-17-9228.



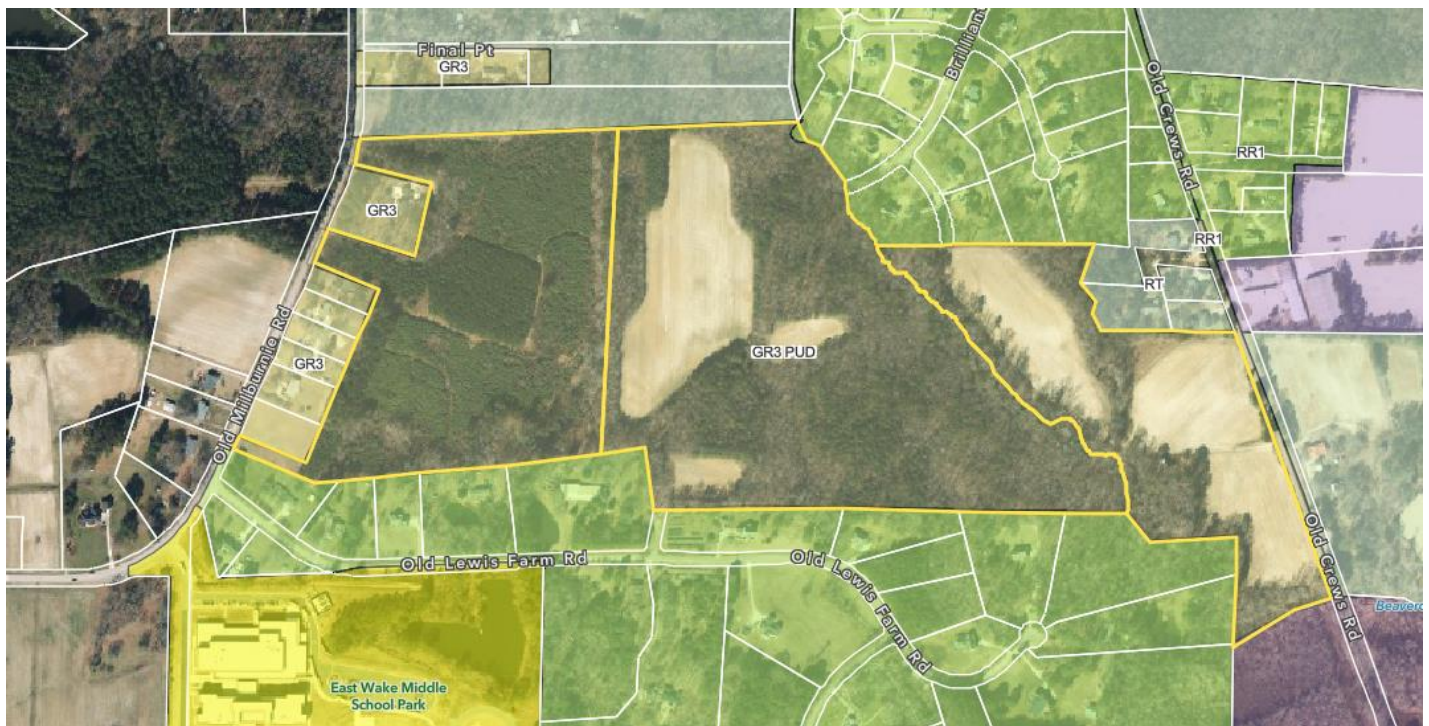
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IV. PROJECT SETTING – SURROUNDING ZONING DISTRICTS AND LAND USES:

The approved project includes three parcels, located at 2812/2824 Old Milburnie Road and 1712 Old Crews Road.

DIRECTION	LAND USE	ZONING
North	Residential, Brighton Knoll Subdivision	RT, RR1
South	Residential, Lewis Farm Subdivision	RT, RR1
East	Residential, Vacant	RT
West	Residential, Vacant	RT, GR3



V. APPROVED MASTER PLAN:

A Master Plan was approved for 90 townhomes, 65 front-loaded single-family lots, and 112 rear-loaded single-family lots. As part of the Planned Unit Development, a site-specific plan was approved by Town Council. Construction Drawings are currently under review and nearing approval.





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VI. PROPOSED ELEMENTS OF UTILITY ALLOCATION AGREEMENT:

The following elements and terms are proposed for the Old Milburnie Village Utility Allocation Agreement. Full details of each item can be found in the attached draft document of the UAA.

A. Water Allocation Policy Compliance:

Per the adopted Water Allocation Policy, the development was awarded 15 base points as a Major Residential Subdivision. The following table shows how the development will be compliant with the WAP:

	Point Total
Major Residential Subdivision	15
Bonus Point Item	
Stormwater Control, Bioretention	5
IPEMA Certified Playground Equipment	4
Stormwater – Wet Pond w/ Fountain	4
Provision of On-Street Public Parking	4
Outdoor Display of Public Art	4
Stormwater Control, Bioretention	5
Total Water Allocation Policy Points	51

B. Recreational Open Space:

The developer will provide both active and passive recreational open space in accordance with the approved Master Plan and PUD. Amenities will include a pavilion, fire pits, seating, a courtyard, community gardens, recreation zones and a play lawn, dog park, restrooms, playground, and a tree orchard.

C. Phasing & Vested Rights:

The project is planned for development in three phases, outlined below. As such, the term of this agreement shall be a period of four (4) years following execution by both parties. Unless otherwise agreed by the parties, the rights and interests conveyed by the Town to the Owner pursuant to this Agreement shall terminate on or about December 31, 2026.

Phase 1 – 33 lots to be recorded by the end of Q1 2024

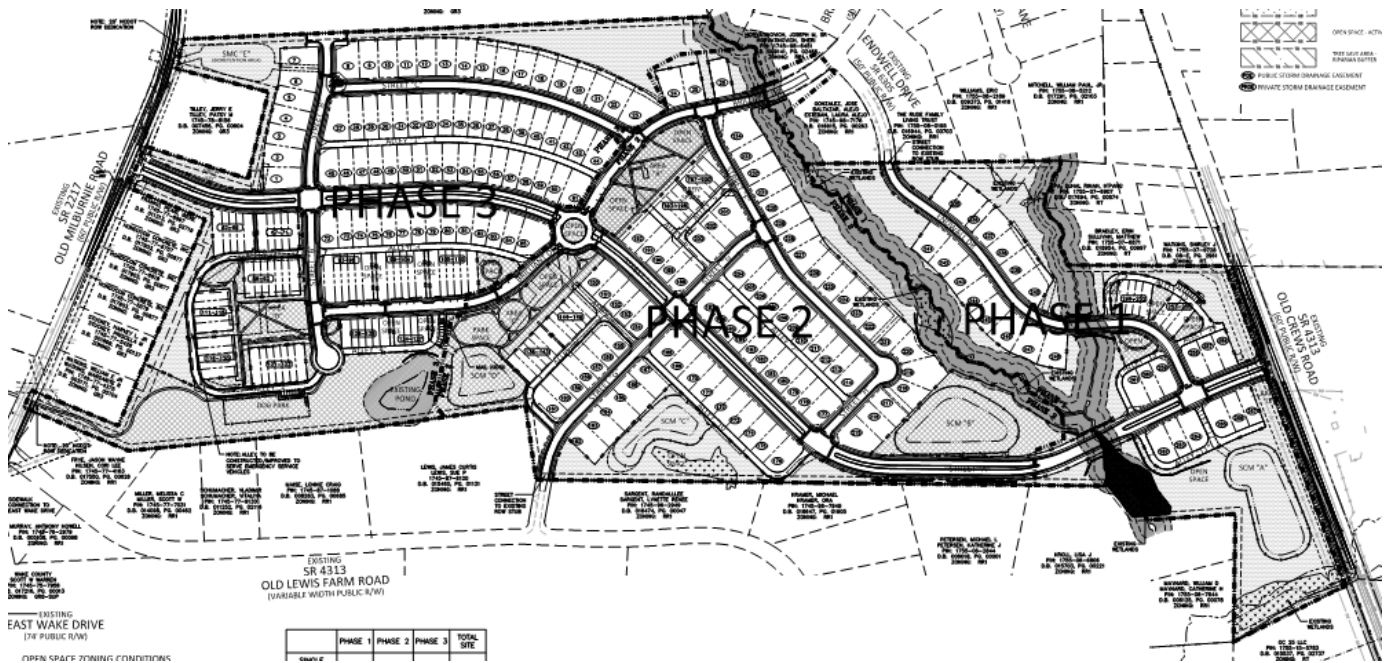
Phase 2 – 100 lots to be recorded by the end of Q2 2024

Phase 3 – 134 lots to be recorded by the end of Q4 2024



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D. Community Design Exceptions:

Several zoning conditions were granted with the approved Master Plan. Those exceptions are listed below and are contained in the attached UAA.

- A. All single-family front-loaded dwellings shall be a minimum of 60-feet in width at the front setback line.
- B. All single-family front-loaded dwellings shall be served by driveways measuring 25-feet long from the edge of the right-of-way. All remaining dwellings shall be served by driveways measuring 20-feet long from the edge of the right-of-way.
- C. The applicant shall build a subdivision of 267 lots, 90 of which shall be townhomes. These townhomes shall comprise 33.7% of the overall units within the development.
- D. Approximately 44 townhome units shall front along Homeowners Association owned and maintained public open spaces, which shall otherwise intervene between the front lot lines the public right-of-way.
- E. The applicant shall provide 30.82 acres of open space, including a mixture of uses such as playgrounds, open play fields, walking trails, a community garden, gathering spaces, etc.
- F. The applicant is permitted to mass grade the 65 front-loaded single-family lots.
- G. The applicant shall build a median divided collector consisting of two 18-foot wide travel lanes and a 9-foot-wide landscaped median.



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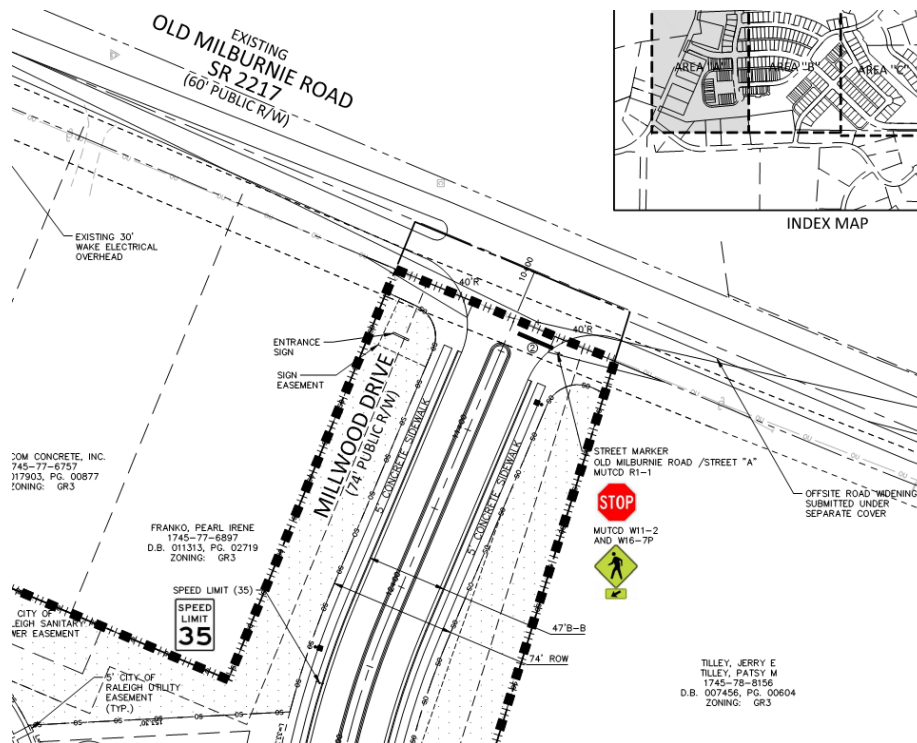
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E. Architectural Standards:

The developer submitted revised building elevations following approval of the Master Plan. These elevations were reviewed against the original approvals and Architectural Standards (UAA Exhibit D) and found to be generally consistent. In addition to the elevations, the applicant agrees to the Architectural Standards found in UDO Sec. 5.7, 5.8, 5.10, and 5.11.

F. Public Road Improvements:

New developments are required to improve the existing frontages on public roads. Old Milburnie Road is identified as a future 75-foot-wide Avenue cross section, however there is limited space along the existing roadway. To limit the impacts to adjacent property owners, the applicant has proposed to provide a fee-in-lieu for these required road improvements. Any improvements required by NCDOT or the TIA will not be waived.



VII. STAFF RECOMMENDATION:

After receiving public comment, staff recommends Town Council close the public hearing. Following discussion and questions, staff recommends approving the UAA and adopting Ordinance #22-12-21-003.