



## **Knightdale Town Council Minutes**

**July 20, 2022, 7:00 p.m.**

**950 Steeple Square Court, Knightdale, North Carolina 27545**

**Members Present:** Mayor Jessica Day, Mayor Pro Tem Stephen Morgan, Councilor Mark Swan, Councilor Ben McDonald, Councilor Latatious Morris, Councilor Steve Evans

**Staff Present:** Town Manager Bill Summers, Assistant Town Manager Dustin Tripp, Assistant Town Manager Suzanne Yeatts, Town Clerk Heather Smith, Communications and Marketing Manager Terrence Dove , Development Services Director Jason Brown, Police Chief Lawrence Capps, Fire Chief Loren Cone, Public Works Director Phillip Bunton, Senior Planner Kevin Lewis, Senior Planner Andrew Spiliotis, Town Attorney Roger Knight, Deputy Police Chief Orlando Soto, Police Sergeant Doug Crough, Police Lieutenant Ron Fullerton, Police Officers Alyssa Lennon and Ted Beighey

**1. WELCOME**

Welcome by Mayor Day at 7:02 p.m.

**2. INVOCATION**

Invocation led by Mayor Day.

**3. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance led by the Knightdale Parks and Recreation 9-10 year old Pistons basketball team.

4. ADOPTION OF AGENDA

**...Motion to adopt the agenda**

**Motion by Councilor Evans**

**Seconded by Councilor Swan**

**Motion Carried Unanimously**

5. PRESENTATIONS, RECOGNITIONS, AWARDS

a. Police Officer Introduction and Oath

Police Chief Lawrence Capps introduced Officer Nichole Edwards and Mayor Day administered the Oath of Office.

b. Knightdale Mayor's Academy Update

Mayor Day provided an overview of the Knightdale Mayor's Academy, thanked staff and elected officials for their participation, and acknowledged participants that were in attendance.

Ally Fernstrom-Certoma, a Knightdale Mayor's Academy participant, shared a personal story, thanking fellow participants and town staff for their quick action during a medical emergency.

c. Comprehensive Transportation Plan Update

Senior Planner Andrew Spiliotis introduced Timothy Tresohlavý with Stantec who provided an update on the Comprehensive Transportation Plan, reviewed the schedule and past actions, and noted they are currently in the refinement and draft documentation phase. Mr. Tresohlavý discussed roadway, multimodal, and transit networks, identified next steps in the process, and answered questions from Council.

d. Complete 540

Senior Planner Andrew Spiliotis introduced Dennis Jernigan with the NC Turnpike Authority who discussed population growth and infrastructure needs in North Carolina. Mr. Jernigan reviewed active and current highway projects, highlighted the status and progress of the Complete 540 project, identified variables that have impacted the project, and discussed intersection designs. Mr. Jernigan summarized community outreach efforts involved with the Complete 540 project and answered questions from Council.

e. Professional Recognition of Assistant Town Manager and Fire Chief

Town Manager Bill Summers recognized Fire Chief Loren Cone for completing the Executive Fire Officer Program. The Executive Fire Officer Program is administered by the FEMA – U.S. Fire Administration/National Fire Academy and is the highest program offered by the National Fire Academy for fire executives.

Mr. Summers recognized Assistant Town Manager Suzanne Yeatts for being awarded Credentialed Manager status. The Credentialed Manager certification is awarded by the International City County Management Association and is the highest certification awarded to local government managers.

6. PUBLIC COMMENT

a. Open to the Public

Joseph Olivia, 611 Sunland Drive, shared concerns about gunfire in the community coming from an adjacent property. Mr. Olivia asked for Council support in working with Wake County to address the issue.

Shannon Hardy, 606 Heartland Flyer Drive, shared public safety concerns related to an incident in her neighborhood. She requested Council's support in advocating for revisions to Wake County's ordinance on firearm discharge.

Saiyid Hasnain, 1001 Crabtree Court, thanked the Mayor and staff for offering the Knightdale Mayor's Academy, commenting on how much he has learned as a participant.

Written comments were submitted from the following individuals:

Charles Silver – PO Box 1277 Knightdale, NC 27545

Kathy Wappel – 4516 Woodmill Run Apex, NC 27539

Jonathan Bunting – 730 Fireball Court Knightdale, NC 27545

The full comments are attached as Exhibit A.

b. Report on Citizen Inquiries

Councilor Swan acknowledged the safety concerns brought up by residents during the comment period.

Councilor McDonald shared that he received an inquiry about a damaged stop sign along Old Faison and Bethlehem Road.

7. CONSENT AGENDA

...Motion to adopt the consent agenda

**Motion by Councilor McDonald**

**Seconded by Councilor Swan**

**Motion Carried Unanimously**

a. June 16, 2022 Regular Meeting Minutes

**...Approve the June 16, 2022 Regular Meeting Minutes.**

b. June 16, 2022 Closed Session Meeting Minutes

**...Approve the June 16, 2022 Closed Session Minutes.**

c. Mingo Creek Greenway Construction Engineering and Inspections Contract

**...Approve the supplemental agreement with Johnson, Mirmiran & Thompson, Inc. (JMT) to provide Construction, Engineering & Inspection (CEI) services for the Mingo Creek Greenway extension construction project in the amount of \$354,404.09.**

d. Build Portion of Design/Build Contract for Fire Station #4

**...Authorize the Town Manager to enter into the build portion of the Design Build AIA contract with Jackson Builders, pending legal counsel review.**

e. Design Portion of the Design/Build Contract for Fire Station #2

**...Authorize the Town Manager to enter into a design contract with Jackson Builders, for Fire Station #2, in the amount of \$250,971.88 pending legal counsel review.**

f. City of Raleigh Merger Agreement Amendment

**...Authorize the Town Manager to sign Amendment #3 to the Knightdale/Raleigh Utility Merger Agreement.**

g. City of Raleigh Easement Transfers

**...Authorize the Mayor to sign the Bill of Sale transferring the easements and parcels identified.**

h. Duke Energy Trail Encroachment Agreement

**...Authorize the Mayor to enter into a Trail Encroachment Agreement with Duke Energy for the Mingo Creek Greenway extension project.**

8. PUBLIC HEARINGS

a. Village Gate/Price-Jones Cemetery Relocation

Public hearing opened at 8:19 p.m.

Development Services Director Jason Brown provided an update on the ongoing public hearing, noting the Village Gate developer is in the process of redesigning the site to avoid interfering with the graves and has requested to withdraw their petition.

Mr. Brown indicated that staff will continue working with the applicant to ensure compliance with Unified Development Ordinance (UDO) and construction standards and shared that landscaping, hardscaping, and a historical marker will be provided by the developer.

**...Motion to close the public hearing at 8:22 p.m. and allow the petition to be withdrawn**

**Motion by Councilor Evans**

**Seconded by Councilor McDonald**

**Motion Carried Unanimously**

b. ZMA-1-21 Village Gate Utility Allocation Agreement

Public hearing opened at 8:23 p.m.

Development Services Director Jason Brown reviewed ZMA-1-21, an approved request to rezone 75.86 acres located at South Smithfield Road and Mailman Road in order to develop 78 single-family homes, 65 townhomes, 388 multi-family units, and 15,440 square feet of vertically integrated commercial space.

Mr. Brown discussed the surrounding area land uses, master plan, project timeline, and provided a Utility Allocation Agreement overview, summarizing public utilities, water allocation policy compliance, construction phasing, infrastructure improvements, and zoning conditions.

**...Motion to close the public hearing at 8:27 p.m., approve the Utility Allocation Agreement, and adopt Ordinance #22-07-20-001**

**Motion by Councilor Swan**

**Seconded by Councilor Evans**

**Motion Carried Unanimously**

9. SET PUBLIC HEARINGS

10. OLD BUSINESS

a. ZMA-6-21 Faison Forest

Senior Planner Kevin Lewis presented ZMA-6-21, a request to rezone 17.59 acres located at 4200 Old Faison Road from Rural Transition (RT) to General Residential-3 Planned Unit Development (GR3-PUD) in order to develop 46 single-family lots and 15 townhome units.

Mr. Lewis reviewed the site profile, surrounding area land uses, master plan, project timeline, and comments received at the Joint Public Hearing, identifying the applicant's response to those comments as well as staff's analysis.

Mr. Lewis shared that the Land Use Review Board voted unanimously to recommend denial of ZMA-6-21, forwarding the following advisory statement:

*"The proposed Zoning Map Amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan's Growth and Conservation Map future land use designation as a Mixed-Density Neighborhood Place Type and guiding principle by creating a compact development. However, the proposal is inconsistent as it fails to address several additional guiding principles including creating great neighborhoods and expanded home choices, encouraging and promoting infill and redevelopment, creating unique activity centers, expanding transportation infrastructure and community facilities, and protecting the natural environment. It is further inconsistent with the Street Network Map and General Growth Framework Map. The request is not reasonable nor in the public interest as it fails to support the guiding principles of the KnightdaleNext Comprehensive Plan."*

Mr. Lewis provided a site plan analysis, highlighting landscaping, open space, and parking.

Mr. Lewis discussed the transportation analysis, noting a Traffic Impact Analysis (TIA) was not required.

Mr. Lewis highlighted requested site development allowances, architectural conditions and elevations, and discussed the proposal's consistency with the town's Comprehensive Plan, Strategic Plan, and Parks and Recreation Master Plan.

Mr. Lewis shared that staff recommends denial of ZMA-6-21 and supports the Land Use Review Board's advisory statement.

**...Motion to adopt the Land Use Review Board and staff recommended advisory statement and deny ZMA-6-21**

**Motion by Councilor Morris**

**Seconded by Mayor Pro Tem Morgan**

**Motion Carried Unanimously**

b. ZMA-9-21 Brio

Senior Planner Kevin Lewis reviewed ZMA-9-21, a request to rezone 286.48 acres located at Old Crews Road, Buffalo Road, and Lucas Road from Rural Transition (RT) to Neighborhood Mixed Use Planned Unit Development (NMX-PUD) in order to develop 612 age-restricted units, 288 traditional single-family and townhome lots, and a 3.95-acre commercial outparcel.

Mr. Lewis summarized the site profile, surrounding area land uses, master plan, project timeline, and comments received at the Joint Public Hearing.

Mr. Lewis shared a site plan analysis, highlighting landscaping, buffers, site design, open space, greenway trails, parking, neighborhood node, and multi-family components and discussed recommendations from the Traffic Impact Analysis (TIA).

Mr. Lewis shared the requested site development allowances, architectural conditions and elevations, and discussed the proposal's consistency with the town's Comprehensive Plan, Strategic Plan, and Parks and Recreation Master Plan.

Mr. Lewis noted that the Land Use Review Board voted 4-1 to recommend approval of ZMA-9-21 and that staff also recommends approval, forwarding the following advisory statement:

*"The proposed Zoning Map Amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan as it addresses several of the guiding principles such as protecting the natural environment through enhanced buffer and limiting impacts to streams and wetlands, extending the transportation network in keeping with the Street Network Map, creating a distinct community design, and expanding home choices for the elderly in Knightdale. Further, it is consistent with the Growth & Conservation Map's designation as a "Mixed Density Neighborhood" Place Type. Additionally, the proposal is consistent with the Street Network Map, Trails & Greenway Map, and the Mixed Density Residential Focus Study Area. The request is reasonable and in the public interest as it aids in developing a vibrant, sustainable, and safe community design in which people not only desire to visit, but to also live, work, and play."*

Mr. Lewis answered questions from Council about TIA calculations, staff analysis, units per acre, mass grading, erosion control, mitigation of adjacent land owners' concerns, sewer easement, and greenway permits.

**...Motion to approve ZMA-9-21, adopt the forwarded advisory statement of plan consistency, adopt Ordinance #22-07-20-003, and require the applicant to use**

**increased erosion control design standards and enforcement and work with staff to further mitigate concerns from adjacent land owners**

**Motion by Mayor Pro Tem Morgan**

**Seconded by Councilor McDonald**

**Motion Carried Unanimously**

11. NEW BUSINESS

12. ADVISORY REPORTS

Councilor Evans shared updates from the recent Fire Relief Fund Board meeting.

13. CLOSED SESSION

a. Closed Session pursuant to § 143-318.11(6)

**...Motion to enter into Closed Session at 9:20 p.m. pursuant to § 143-318.11(6)**

**Motion by Councilor Swan**

**Seconded by Councilor Evans**

**Motion Carried Unanimously**

14. ADJOURNMENT

**...Motion to adjourn at 10:34 p.m**

**Motion by Councilor Evans**

**Seconded by Mayor Pro Tem Morgan**

**Motion Carried Unanimously**

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Heather Smith, Town Clerk

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Jessica Day, Mayor

# **Exhibit A**

**General Public Comment**

**(July 20, 2022)**

Entry #: 209

Date Submitted: 7/8/2022 3:06 PM

All comments submitted will be shared with the Town Council and included in the official record of the meeting. If you choose to submit public comment, please remember the following rules:

- Public Comment, including comments submitted in written form, is limited to three minutes.
- Comments should be addressed to the Board as a whole, not to an individual member.
- Large groups are asked to designate a spokesperson.
- Only one submission per person will be accepted. If multiple entries are received from the same individual, only the final submission will be included in the record.
- Written public comments will be accepted up to 24 hours prior to the meeting date.

Thank you for your participation.

**Name**

Charles Silver

**Address**

PO Box 1277, Knightdale, North Carolina 27545

**Phone Number**

[REDACTED]

**Email**

[REDACTED]

**Meeting Date**

July 20, 2022

**Public Comment Subject**

General Public Comment

Please indicate if you are in favor, in opposition, or do not have a stated position and have a concern or neutral statement.

In opposition

**Permission to use phone number or email for contact**

I agree to allow the Town of Knightdale to use this phone number or email to contact me on this subject.

**If commenting on a Public Hearing item, please list specific reasons why you are in favor or opposed to the item.**

The ZMA-9-21 development exceeds the recommended SFR allowed in the UDO. If the SFR lots on the west side of Old Crews Road were eliminated it would meet the UDO. The pump station required for the development could be relocated if necessary just a few yards west to an adjacent parcel. This would allow the property on the West side of Old Crews Road to remain vacant in keeping with the surrounding land yet allow the rest of the development to proceed. There are over 160 acres of beautiful forest and fields on the west side of Old Crews with no development from Beaverdam Creek south to Forestville Road, including the Wake Stone Soccer Fields. I believe that the town is currently best served by keeping this parcel west of Old Crews Road vacant.

If you have questions or concerns with this form, please contact Knightdale Town Clerk, Heather Smith at 919-217-2225 or email [Heather.Smith@KnightdaleNC.gov](mailto:Heather.Smith@KnightdaleNC.gov)

Entry #: 208

Unread

Date Submitted: 7/4/2022 9:57 PM

All comments submitted will be shared with the Town Council and included in the official record of the meeting. If you choose to submit public comment, please remember the following rules:

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- Large groups are asked to designate a spokesperson.
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- Written public comments will be accepted up to 24 hours prior to the meeting date.

Thank you for your participation.

**Name**

Kathy Wappel

**Address**

4516 Woodmill Run, Apex, North Carolina 27539

**Phone Number**

[REDACTED]

**Email**

[REDACTED]

**Meeting Date**

July 20, 2022

**Public Comment Subject**

General Public Comment

**Please indicate if you are in favor, in opposition, or do not have a stated position and have a concern or neutral statement.**

No position stated - Concerned or Neutral

**Permission to use phone number or email for contact**

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Just attended July 4 celebration in Knightdale. It was a well done, excellent event. Enjoyed it thoroughly ... until the very end. The DJ for the event did an excellent job of entertaining the crowd during The Embers break. However, the music he played for the fireworks was less than inspiring and a few of the songs were completely inappropriate for his audience of families. Someone might want to give a little more guidance to him for next year. Kudos for an awesome event (other than the music for the fireworks). Embers were amazing!

If you have questions or concerns with this form, please contact Knightdale Town Clerk, Heather Smith at 919-217-2225 or email [Heather.Smith@KnightdaleNC.gov](mailto:Heather.Smith@KnightdaleNC.gov)

Entry #: 215

 Unread

Date Submitted: 7/20/2022 2:26 PM

All comments submitted will be shared with the Town Council and included in the official record of the meeting. If you choose to submit public comment, please remember the following rules:

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- Written public comments will be accepted up to 24 hours prior to the meeting date.

Thank you for your participation.

**Name**

Jonathan Bunting

**Address**

730 Fireball Ct, Knightdale, North Carolina 27545

**Phone Number**

[REDACTED]

**Email**

[REDACTED]

**Meeting Date**

July 20, 2022

**Public Comment Subject**

General Public Comment (July 20, 2022)

**Please indicate if you are in favor, in opposition, or do not have a stated position and have a concern or neutral statement.**

No position stated - Concerned or Neutral

**Permission to use phone number or email for contact**

I agree to allow the Town of Knightdale to use this phone number or email to contact me on this subject.

**If commenting on a Public Hearing item, please list specific reasons why you are in favor or opposed to the item.**

Concern. Gunfire around Knightdale station neighborhood is a common issue. There have been reports from homeowners this week of near misses on their personal property. With the proximity of the park, schools, daycare and homes this seems to be a major safety issue. I am told it is a county matter so not sure what avenues can be taken to correct this going forward. As a parent and homeowner with experience in firearm safety it is disturbing to hear this gunfire on a regular basis and in such close proximity. I ask for help from the council in finding a solution to this problem. Thank you.

If you have questions or concerns with this form, please contact Knightdale Town Clerk, Heather Smith at 919-217-2225 or email [Heather.Smith@KnightdaleNC.gov](mailto:Heather.Smith@KnightdaleNC.gov)