STAFF REPORT
Town of Knightdale

To:	Mayor and Town Council	Budget Amendment - #BA
From:	Jeff Triezenberg, Planner II	Planning Director Signature -- MSF
Subject:	ZTA-6-08, Commercial Development Amendments (ORD# 08-05-05-003)	Town Manager Signature –
Date:	May 5, 2008	

REPORT

SEE ATTACHED

REPORT RECOMMENDED ACTION

Motion to adopt statement of plan consistency and reasonableness of action, followed by motion to approve ZTA-6-08 and adopt ORD# 08-05-05-003.

TOWN OF KNIGHTDALE
PLANNING DEPARTMENT
www.ci.knightdale.nc.us
950 Steeple Square Court
Knightdale, NC 27545
(v) 919.217.2245
(f) 919.217.2249

ZONING TEXT AMENDMENT ZTA-6-08

Commercial Development

REPORT TO THE TOWN COUNCIL
PUBLIC HEARING: April 7, 2008
LURB MEETING: April 14, 2008
COUNCIL MEETING: May 5, 2008

Prepared by the Knightdale Planning Department

I. REQUEST AND BACKGROUND

Application requesting a Zoning Text Amendment to amend certain requirement related to commercial developments. The applicant is identified as the Town's Land Use Administrator. The specific text amendments as applied for are as follows:

Section 3.3(N)(3)
Drive through windows and services located and accessed on the side of a building shall be limited to one lane in the NMX district, and shall be screened from off-site view from a public street by a Type A buffer ~~with a minimum width of 10 feet~~. In the HB and MI districts, drive through windows and services located and accessed on the side of a building may be multi-lane, but shall be screened from off-site view from a public street by a Type B buffer.

Section 5.11(E)(3)
Drive through areas must appear as an articulation of the building, not a separate and distinct appendage. Specifically, canopies must:

- **a.** maintain a uniform and consistent roof line with the building to which the drive through facility is a part;
- **b.** columns, solid walls or semi-solid walls are required and must be placed so that they are similar in their relation to the roof to that of exterior walls of the building to which the drive through is a part; and
- **c.** materials associated with the drive through facility shall be consistent with the primary building façade.

Columns/Wall Locations:

This

Not This

Roofs Lines:

This

Not This

Section 10.4(C)

A circulation drive may be permitted around the front of the building but may not encroach into the front setback of any required landscape area. If provided, this drive shall be designed to be the minimal width required (not to exceed 20 feet in width when located adjacent to an arterial and in an MI or HB district, or ~~ten [~~10~~]~~ feet in width in all other instances) and shall be ~~constructed using~~ enhanced with alternative paving treatments such as unit pavers, ~~or~~ stamped concrete or stamped asphalt. At a minimum, two (2) 10-foot long treatments must be included at the beginning and the terminus of the drive as an indicator to the driver that they are entering and leaving a pedestrian area. Additional treatment locations will be required if and where pedestrian crossings of the circulation drive are anticipated.

II. JUSTIFICATION

These proposed amendments comply with the goals and objectives of adopted Town plans and policies by seeking to promote an appropriate balance between the pedestrian and auto environments as called for in an assigned district outside of the normal Tier structure of the Urban Transect.

III. LURB WRITTEN STATEMENT REGARDING PLAN CONSISTENCY AND RECOMMENDATION

North Carolina General Statute 160A-383 requires the planning board to provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board.

The LURB unanimously recommended approval of ZTA-6-08 to the Town Council based on the following advisory statement:

The proposed zoning text changes are reasonable in that they advance the stated objective of influencing and managing the development of the community. It is furthermore consistent with the Comprehensive Plan's stated goal of providing balanced and responsible urban design, planning and development, and protection of the Town's historical, cultural and natural resources.

IV. CONSISTENCY WITH THE COMPREHENSIVE PLAN

North Carolina General Statute 160A-383 requires that **prior to** adoption or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action to be reasonable and in the public interest.

PROPOSED STATEMENT REGARDING PLAN CONSISTENCY AND REASONABLENESS OF ACTION:
The proposed zoning text changes are reasonable in that they advance the stated objective of influencing and managing the development of the community. It is furthermore consistent with the Comprehensive Plan's stated goal of providing balanced and responsible urban design, planning and development, and protection of the Town's historical, cultural and natural resources.

V. PLANNING DEPARTMENT RECOMMENDATION

The Planning Department recommends that the Town Council adopt the preceding statement identified in Section IV of this report, approve ZTA-6-08 and adopt ORD# 08-05-05-003.

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ORD #08-05-05-003
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING REGULATIONS RELATED TO COMMERCIAL DRIVE THRU DEVELOPMENT

WHEREAS, the Town of Knightdale has received a petition to amend the Unified Development Ordinance in regard to specific regulations related to the construction of drive thru facilities in commercial areas; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text changes comply with the goals of the Town's Comprehensive Plan because they are reasonable in that they advance the stated objective of influencing and managing the development of the community; as well as being consistent with the stated goal of providing balanced and responsible urban design, planning and development, and protection of the Town's historical, cultural and natural resources;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1**.** That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows *(explanatory notations in italics)*:

Section 3.3(N)(3)
Drive through windows and services located and accessed on the side of a building shall be limited to one lane in the NMX district, and shall be screened from off-site view from a public street by a Type A buffer. In the HB and MI districts, drive through windows and services located and accessed on the side of a building may be multi-lane, but shall be screened from off-site view from a public street by a Type B buffer.

Section 5.11(E)(3)
Drive through areas must appear as an articulation of the building, not a separate and distinct appendage. Specifically, canopies must:

a. maintain a uniform and consistent roof line with the building to which the drive through facility is a part;
b. columns, solid walls or semi-solid walls are required and must be placed so that they are similar in their relation to the roof to that of exterior walls of the building to which the drive through is a part; and
c. materials associated with the drive through facility shall be consistent with the primary building façade.

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and leaving a pedestrian area. Additional treatment locations will be required if and where pedestrian crossings of the circulation drive are anticipated.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 5th day of May, 2008.

_____
Russell B. Killen, Mayor

ATTEST:

_____
Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

_____
Clyde Holt, III; Town Attorney