

Town of Knightdale Staff Report Cover Sheet

- Title: ZMA-4-20: 608 N First Ave Restaurant
- Staff: Kevin Lewis, Senior Planner
- Date: November 18, 2020

# PURPOSE

• The purpose of this staff report is to provide an overview of a Zoning Map Amendment request for the 1.04 acres at 608 North First Avenue, adjacent to Knightdale Station Park and on the northern side of Old Town. The parcel is identified by the Wake County PINs 1754-54-1029 and 1754-54-2064. The Conditional District Zoning Map Amendment request is to rezone the property from Residential Mixed Use (RMX) to Neighborhood Mixed Use Conditional District (NMX-CD) to allow for a 4,726 restaurant in the current single-family dwelling.

# STRATEGIC PLAN PRIORITY AREA(S)

• Sustainable

# GENERAL STATUTE REFERENCE(S), if applicable

• N.C.G.S. 160A-381

# TYPE OF PUBLIC HEARING, if applicable

• Legislative

# FUNDING SOURCE(S), if applicable

• N/A

# ATTACHMENT(S)

- Staff Report
- Application Packet
- Land Use Classifications & Reasonable Conditions
- Neighborhood Meeting Information
- Site Plan
- Elevations

# **STAFF RECOMMENDATION**

- Motion to approve ZMA-4-20 and adopt the recommended advisory statement describing plan consistency and reasonableness of action
- Adopt ORD #20-11-18-002









Knightdale Strategic Priorities



**Connected & Inclusive** 

Sustainable

Active & Healthy



Title: 608 N First Ave Restaurant Conditional District Zoning Map Amendment

Staff : Kevin Lewis, Senior Planner

Date: November 18, 2020

Director Signature: CH

Asst. Town Manger Signature:

Town Manager Signature:

# I. REQUEST:

Voyage Capital Ventures, LLC. submitted a Zoning Map Amendment request for the 1.04 acres at 608 North First Avenue, adjacent to Knightdale Station Park and on the northern side of Old Town. The parcel is identified by the Wake County PINs 1754-54-1029 and 1754-54-2064. The Conditional District Zoning Map Amendment request is to rezone the property from Residential Mixed Use (RMX) to Neighborhood Mixed Use Conditional District (NMX-CD) to allow for a 4,726 square foot restaurant in the current single-family dwelling.

## **II. PROJECT PROFILE:**

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PROPERTY LOCATION:	608 N First Ave
WAKE COUNTY PIN:	1754-54-1029 and 1754-54-2064
CURRENT ZONING DISTRICT	Residential Mixed Use (RMX)
PROPOSED ZONING DISTRICT:	Neighborhood Mixed Use Conditional District (NMX-CD)
NAME OF PROJECT:	608 N First Ave Restaurant
APPLICANT:	Paul Meder, Rivers and Associates
PROPERTY OWNER:	Antonio Soto, Elizabeth Roman
DEVELOPER:	Voyage Capital Ventures, LLC.
PROPERTY SIZE:	1.04
CURRENT LAND USE:	Single-Family Residential
PROPOSED LAND USE:	4,726 square foot restaurant, 1,068 square foot of accessory office
PROPOSED PARKING:	26 spaces provided on-site

# **III. BACKGROUND INFORMATION:**

The Conditional District (ZMA-CD) rezoning process provides a procedure for the re-zoning of property based upon the recognition that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions. This process affords a degree of certainty in land use decisions not possible when re-zoning to a general category allowing many different uses.

When the develop first reached out to Town Staff, discussions revolved around how their desired uses and designs fit within Knightdale's UDO. It was determined that the Conditional District rezoning process allowed for the applicant to propose a site-specific development proposal while achieve their goals in accordance with the UDO and Comprehensive Plan.



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

The proposed rezoning includes two (2) parcels, located on North First Avenue and Poplar Street adjacent to Knightdale Station Park. The parcel is located within the Town's Corporate Limits and will not require an annexation.

DIRECTION	LAND USE	ZONING
North	Office & Knightdale Station Park	NMX
South	Residential	RMX
East	Knightdale Station Park	OSP
West	Residential	RMX





# Town of Knightdale





# Town of Knightdale Staff Report



# V. CONDITIONAL DISTRICTS:

The Conditional District (ZMA-CD) re-zoning process provides a procedure for the re-zoning of property based upon the recognition that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions. This process affords a degree of certainty in land use decisions not possible when re-zoning to a general category allowing many different uses.

All standards and requirements of the corresponding General District shall be met, except to the extent that the conditions imposed are more restrictive than those standards. Within an approved Conditional District, no use shall be permitted except pursuant to the conditions imposed on the Conditional District in the approval of the re-zoning.

The Master Plan, as a site-specific Conditional Zoning Plan, is itself a condition of the ZMA-CD. In addition to the Master Plan, the applicant shall provide the exact land use classifications proposed for the Conditional District, detailed in Section VII. Such use classifications may be selected from any of the uses, whether permitted by right or

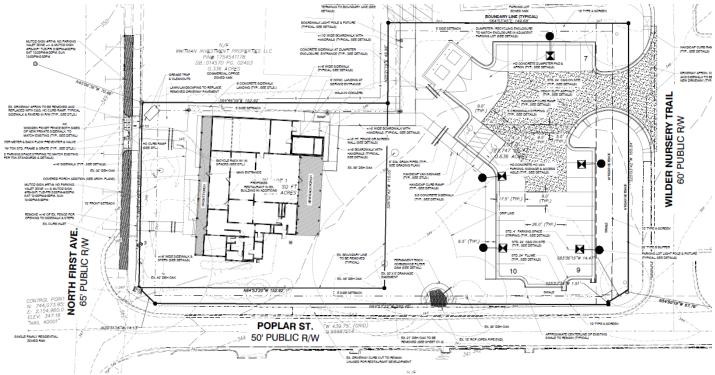


special use, allowed in the General District upon which the Conditional District is based. Uses not otherwise permitted within the General District shall not be permitted within the Conditional District.

At the request of the applicant, the LURB may recommend and the Town Council may attach reasonable and appropriate conditions including but not limited to the location, nature, hours of operation and extent of the proposed use. The applicant will have a reasonable opportunity to consider and agree to any additional requirements proposed by either the LURB or the Town Council prior to final action.

# VI. PROPOSED MASTER PLAN:

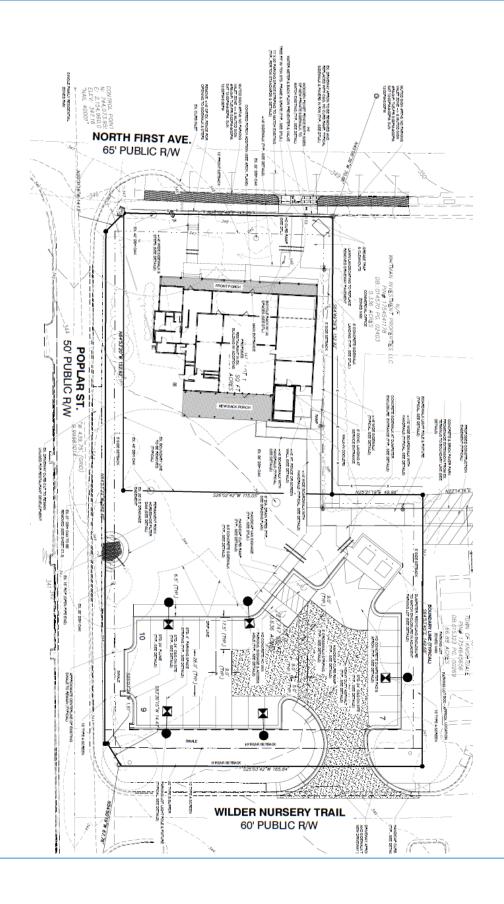
The applicant has submitted a full Master Plan in accordance Section 16.6 of the UDO. The applicant is proposing to convert the single-family residence into a 4,700 square foot restaurant featuring an additional 1,600 square feet of office space on the second floor. Site improvements include the removal of the driveway off North First Avenue, being replaced with an ADA complaint walkway. Additionally, the driveway apron will be restored to match the surrounding sidewalk cross section featuring brick pavers. Further improvements include a 26 space parking lot off Wilder Nursery Trail, screened and buffered to meet UDO standards. Finally, the promenade walkway from Knightdale Station Park will be extended on-site to provide direct pedestrian connectivity.





# Town of Knightdale

Staff Report



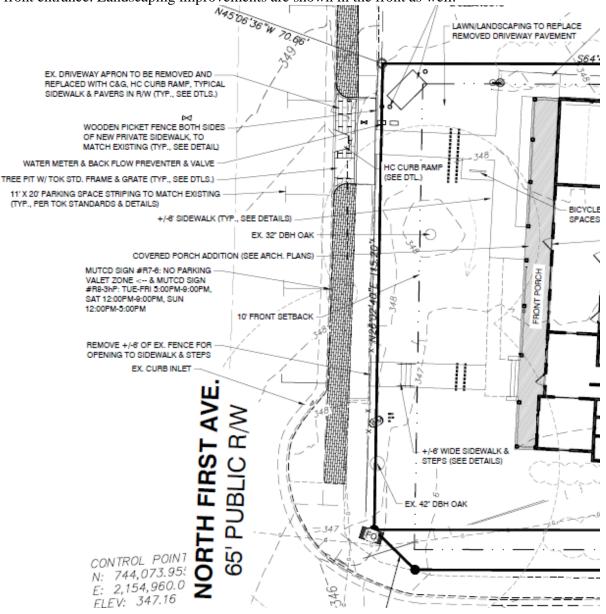


# **STAFF SITE PLAN ANALYSIS:**

Staff has reviewed the plan for consistency with the UDO and found the site plan to generally be in compliance with the provisions found within. The following items are being highlighted for Council review and further consideration.

# First Avenue & Front Yard Improvements

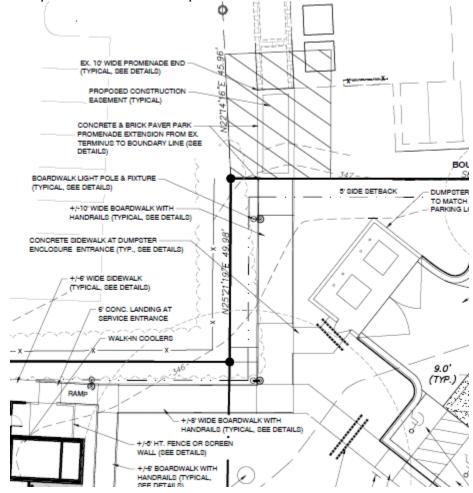
The applicant is showing significant improvements to First Avenue and the front yard of this site. With the removal of the driveway, the site plan depicts the completion of the sidewalk cross section featuring pavers. In addition, the driveway on-site will be removed and replaced with an ADA compliant walkway to the front entrance. Landscaping improvements are shown in the front as well.





# **Promenade Extension**

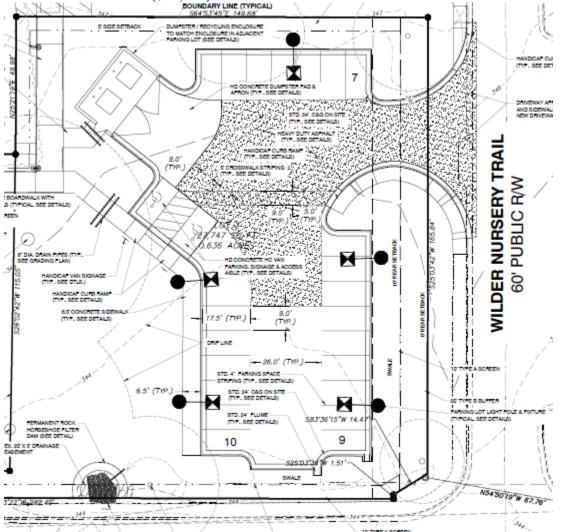
The site plan shows the extension of the promenade walkway from its current termination to the north onsite to provide direct pedestrian access to the park.





# **Parking**

A new parking lot will be constructed to the rear of the building, featuring 26 spaces. New parking will be striped on First Avenue where the driveway will be removed. To meet the UDO requirements for minimum parking provided, the applicant will be paying into the Old Town parking fund for the remaining 39 spaces. According to the FY21 Fee Schedule, a \$500 per space fee can be provided to reduce the amount of surface parking in the Old Town district (\$19,500).





# **Elevations**

The proposed elevations and materials are generally compliant with UDO standards found in Chapter 5. The general design of the current structure will be maintained, with additions matching the original design.





# VII. LEGISLATIVE CASE PROCEDURES:

Staff first began discussing this proposal with the development team in May 2020, working with them through several preliminary sketch plan details. A Conditional District rezoning is a legislative public hearing, which requires certain application procedures including having a pre-application meeting with staff, and holding a neighborhood meeting with any property owners within 200 feet of the outer boundaries of the subject development. Below is a timeline of the required elements.

- Pre-application meeting: May 20, 2020
- Neighborhood Meeting Notices Mailed: July 13, 2020
- Neighborhood Meeting: July 23, 2020

The virtual neighborhood meeting was held via Google Meet on July 23, 2020. No residents attended the meeting; however the applicant had previously reached out to nearby property owners to convey their development proposal and answer any questions. A copy of the mailed notice and list of recipients are attached as part of the application packet.

Additionally, the Town of Knightdale followed public hearing notice requirements as prescribed in the North Carolina state statutes.



- First Class Letters Mailed: October 9, 2020
- Sign Posted on Property: October 9, 2020
- Legal Ad Published in N&O: October 9 & 16, 2020

Following the formal submittal and review of the proposed master plan, the applicant met with the Development Review Committee (DRC) on August 13, 2020 to discuss the technical comments and details associated with the proposal. Staff disused with the applicant concerns involving access, drainage, landscaping, elevations, and buffers. The DRC requested that the applicant provide a revised copy of the Master Plan, which is shown above.

The DRC voted unanimously to **continue** the proposal pending the applicant addressing the review comments and Town Council approving the Rezoning request.

# VIII. PROPOSED CONDITIONAL DISTRCT REZONING:

In accordance with Section 15.6.C of the UDO, all standards and requirements of the corresponding General District shall be met. Staff has reviewed the major site elements and found the majority to be in compliance with all requirements of the Highway Business zoning district and UDO. Major site elements and their compliance statements are listed below.

A. **Zoning:** The subject property is currently zoned RMX, which does not permit restaurant uses. The proposed use does not require a Conditional District rezoning within the NMX district, however Staff and the applicant agreed this would provide flexibility to achieve the applicant's goals while meeting the spirit and intent of the UDO and Comprehended Plan. Therefore the applicant is requesting approval for a Conditional District Rezoning to rezone the property to NMX-CD.

As noted above the applicant has provided the exact land use classifications proposed for the Conditional District. As the applicant is proposing a specific use, no other uses permitted in the NMX zoning district will be permitted at this location.

The following are additional conditions proposed by the applicant specific to this use:

- 1. Proposed hours of operation: Sunday through Saturday: 11:00 AM to 11:00 PM
- 2. Expected percent of alcohol sales: +/-10%.
- 3. Additions to the existing building shall be constructed of exterior materials that match or closely approximate the existing materials.
- 4. Additions to the existing building shall be painted to match the existing building's colors or to match any current or future change in colors to the existing building.
- 5. Existing windows on the original house shall remain in their current condition. Windows constructed on any addition to the current house shall be purported to remain compatible with those remaining on the original house.
- 6. Install permanent rock horseshoe filter dam, as per Town of Knightdale Standard Check Dam Detail, Std. No. 2.05, for on-site stormwater velocity reduction prior to its entering the Town stormwater control system.



- 7. Extend the existing 10' wide Town of Knightdale promenade sidewalk, from its existing terminus inside Knightdale Station Park, to the site boundary line (+/-25 LF) (subject to suitable agreement and easement dedication between the Town and the site owner/developer.)
- 8. Extend the proposed Town of Knightdale promenade sidewalk, from its proposed terminus at the boundary line between Knightdale Station Park and the site, to a new terminus within the site (+/-65 LF) (subject to suitable agreement and easement dedication between the Town and the site owner/developer for the construction of condition number four (4), above.)
- B. **Dimensional Standards**: The applicant is not proposing any deviations from the dimensional standards as found in Section 2.10 of the UDO for the NMX Zoning District.
- C. **Parking**: The applicant is not proposing any deviations from the parking requirements as found in Section 10.3 of the UDO. Specifically, the applicant is proposing 26 car spaces 2 of which are handicap spaces, and 4 bike spaces. The UDO requires 65 total parking spaces based on the proposed use and square footage, and the applicant is proposing to pay into the Old Town parking fund to make up the difference.
- D. **Public Utilities/Water Allocation Policy:** The applicant is proposing to connect to public water and sewer. The proposal falls under the Change of Use land use category, which is eligible for 50-base points and is eligible for public utilities. Further, this proposal qualifies for additional bonus points as it is a redevelopment site within the Old Town District .
- E. **Stormwater Management:** The proposal is not required to provide additional stormwater controls as it does not exceed the minimum acreage required in the UDO. On-site improvements along Poplar Street are proposed with the intent to reduce velocity of stormwater flow in an area with known drainage issues. The applicant is proposing a rock horseshoe filter tying into existing storm drainage.
- F. **Lighting**: The applicant is not proposing any deviations from the lighting standards as found in Section 11.4 of the UDO.
- G. **Signage**: All site signage will be reviewed under a separate zoning review; however, the applicant is not proposing any deviations from the standards as found in Section 12 of the UDO for the MI Zoning District. As of this staff report, the applicant is proposing monument signage for each lot along Hinton Oaks Blvd.

# IX. TRANSPORTATION ANALYSIS

Due to the limited number of additional trips generated by this proposal, a Transportation Impact Analysis was not required. According to the trip generation report, approximately 20 trips will be generated during the PM peak. As previously noted, pedestrian improvements will enhance the walkability in and around Knightdale Station Park and along First Avenue.



# X. COMPREHENSIVE PLAN:

The proposed use of this property is consistent with the KnightdaleNext 2035 Comprehensive Plan. The subject property is designated as "Old Town" as a place type.



The "Old Town" place type is defined as:

The Old Town center supports mixed use development, architectural continuity, civic spaces and social interaction at a scale that celebrates community and the beginnings of Knightdale. Uses and buildings are located on small blocks with streets designed to extend the grid network and encourage pedestrian activity. Buildings in the core typically stand one to three stories tall with residential units or office space above some storefronts. The compact, walkable environment and mix of residential and non-residential uses in Old Town support multiple modes of transportation.

The parcel, combined with the surrounding areas, meet the definition of a "Old Town" place type. Knightdale Station Park and various retail and residential uses are close in proximity providing complementary uses. The proposal includes pedestrian connection and improvements to match existing infrastructure. Additionally, the site provides limited parking to take advantage of existing on-street spaces and the walkability of the area.



# **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.

It is staff's opinion that the proposed development is consistent with the KnightdaleNext 2035 Comprehensive Plan, and the following guiding principle categories would be applicable to this request.

# UNIQUE ACTIVITY CENTERS



Encourage the development of unique activity centers that include a mix of uses and activities located close together, providing people with new options for places to live, work, shop, and participate in civic life. Centers should vary in scale, use, and intensity, represented by a hierarchy of rural hamlets, neighborhood activity nodes, mixed-use activity centers, transitfocused activity centers, and Old Town. The presence of activity centers should further the economic vitality and sustainability of the Town, while also promoting social interaction and community building.

The look and vibe of activity centers in the Town should communicate a distinct sense of place and identify what is uniquely Knightdale, creating places that are interesting, beautiful, useful, and likely to provide longstanding value.

# COMPACT DEVELOPMENT PATTERNS



Guide future growth into more compact and efficient development patterns that will help manage the timing, location, and magnitude (length and size) of expensive infrastructure investments. Prioritize infill development and redevelopment in identified activity centers over continued green field development patterns, and use public infrastructure investments in the activity centers to encourage and leverage future private investments. Acknowledge that increased densities and intensities, and a mix of residential and nonresidential uses, will be needed in the activity centers to accommodate anticipated Town growth. Activity centers added to the Growth and Conservation Map in the future should reflect orderly and incremental growth patterns away from existing and identified activity centers in the 2035 KnightdaleNext Comprehensive Plan.



# Town of Knightdale Staff Report

# COMMUNITY DESIGN

Celebrate a distinct brand and sense of place that is uniquely Knightdale, while still tapping into the talent and creativity of the people that shape its residents, business owners, property owners, developers, planning and design professionals, etc. to keep things relevant and authentic. Prioritize Town investments in the spaces around, between, and within buildings (the "public realm") that create a certain vibe, identity, and reputation for Knightdale as a place for pedestrians and active public spaces. Use investments in the public realm—street improvements, public spaces, lighting, landscaping, artwork, etc.—to leverage greater private investment in terms of building use, scale, placement, materials and interactions with the public realm.



# INFILL DEVELOPMENT AND REDEVELOPMENT

Promote infill development and redevelopment activities for vacant and under-utilized areas of Knightdale. In doing so, prioritize the transformation of older properties throughout Town that might not be economically-viable in the future (such as declining retail shopping centers).

# ECONOMIC VITALITY



Promote a healthy and sustainable business environment by investing actively in infrastructure, providing favorable incentives, and building a community that is attractive to employers and their workers. Continue to promote Knightdale as a vibrant place, and build a competitive advantage to attract knowledge-based businesses to the area. Investment and recruitment initiatives should realize "triple bottom-line" benefits for Town residents by seeking to improve the tax base, promote economic vitality for local shops and businesses, and increase access to employment opportunities in the Town.



# PROPOSED WRITTEN ADVISORY STATEMENT REGARDING PLAN CONSISTENCY:

"The proposed Zoning Map Amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan as it addresses several of the guiding principles such as creating a unique activity center within walking distance of residential and commercial uses, establishing a compact development centrally located in Town, emphasizing community design of the site and building, achieving redevelopment of under-utilized land and promoting economic vitality by adding new and unique non-residential development for a small and locally owned business. Further, it is consistent with the General Growth Framework and Growth & Conservation Map's designation as a "Old Town" placetype. 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."

# XI. JOINT PUBLIC HEARING SUMMARY:

As previously mentioned, a joint public hearing with the Land Use Review Board and Town Council was held at the October 21, 2020 Town Council meeting. On behalf of the development team, Christopher Critzer provided a short presentation and spoke in favor of the project. The Town received seven electronic comments in support of the project and none in opposition. Council, the applicant, and Staff discussed, hours of operation, the dumpster location, pedestrian connectivity, and outdoor dining.

Staff will continue to work with the applicant to ensure any changes to the site plan maintain the residential feel of the area while providing a thoughtful design.

# XII. LAND USE REVIEW BOARD SUMMARY:

The LURB considered this item at its November 9, 2020 meeting. After staff presented an overview of the proposed rezoning request, no questions from LURB members were asked. The LURB voted unanimously, 7-0, to recommend approval of ZMA-4-20 and forwarded the following advisory statement as recommended by staff to Town Council.

"The proposed Zoning Map Amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan as it addresses several of the guiding principles such as creating a unique activity center within walking distance of residential and commercial uses, establishing a compact development centrally located in Town, emphasizing community design of the site and building, achieving redevelopment of under-utilized land and promoting economic vitality by adding new and unique non-residential development for a small and locally owned business. Further, it is consistent with the General Growth Framework and Growth & Conservation Map's designation as a "Old Town" placetype. 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."

# XII. STAFF RECOMMENDATION:

It is staff's recommendation that Town Council approves the request to rezone 1.04 acres of property identified by Wake County PINs 1754-54-1029 and 1754-54-2064 from Residential Mixed Use (RMX) to Neighborhood Mixed Use Conditional District (NMX-CD), adopts the advisory statement seen below from staff regarding Comprehensive Plan consistency, and adopts Ordinance #20-11-18-002.

"The proposed Zoning Map Amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan as it addresses several of the guiding principles such as creating a unique activity center within walking distance of residential and commercial uses, establishing a compact development centrally located in Town,



emphasizing community design of the site and building, achieving redevelopment of under-utilized land and promoting economic vitality by adding new and unique non-residential development for a small and locally owned business. Further, it is consistent with the General Growth Framework and Growth & Conservation Map's designation as a "Old Town" placetype. 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."

# TOWN OF KNIGHTDALE

HIGHTDALA 1927 MARTH CAROLIN

FILING FEE:

DEVELOPMENT SERVICES DEPARTMENT

950 Steeple Square Court Knightdale, NC 27545 (v) 919.217.2243 (f) 919.217.2249

# **MASTER PLAN**

In accordance with Development Process outlined in Chapter 15 of the Unified Development Ordinance, Master Plan submittals are required for all Site Plans, Major Subdivisions, Special Use Permits, and Conditional Districts. Completed applications shall include all of the submittal requirements included on Page 2 of this package, and must be submitted in accordance with the schedule established by the Development Services Department. Approval of the Master Plan is not an authorization to begin site construction.

PROJECT INFORMATIO	<u>N</u>							
PROJECT NAME:	608 North 1st Ave							
PROJECT ADDRESS: 608 North 1st Ave and 0 Wilder Nursery Ln Knightdale, Nc 27545								
WAKE COUNTY PIN(s):	1754541029, 17945422046							
PROPOSED USE: Restaurant, . Office Space								
PROPOSED SQ. FT.:	+/- 5,794 PROPOSED LOTS		DENSITY (DWELLING	-				
ZONING DISTRICT:	<b>RMX</b> SITE ACRES:	1.04	INSIDE CORPORATE L	IMITS: Yes				
CONTACT INFORMATIC								
APPLICANT:	Christopher M. Critzer	PHONE	919-341-0188 x402 FAX:	833-871-4394				
ADDRESS:	101 Forest Dr Ste D	THOME.		000-071-4004				
ADDAL55.	Knightdale, NC 27545							
		EMAIL:	Voyageinvesting@gmai	l.com				
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SIGNATURE:	Chat							
PROPERTY OWNER:	Voyage Capital Ventures, LLC	PHONE:	919-341-0188 FAX:	833-871-4394				
ADDRESS:	101 Forest Dr. Suite B							
	Knightdale, NC 27545							
		EMAIL:	Voyageinvesting@gmai	l.com				
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DEVELOPER:	Voyage Capital Ventures, LLC	<b>CPHONE</b>	919-341-0188 FAX:	833-871-4394				
ADDRESS:	101 Forest Dr. Suite B	51110112.						
	Knightdale, NC 27545							
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THIS SPACE FOR DEVELOPMENT SERVICES STAFF ONLY								
CASE NUMBER:	SUBMITTAL DATE:	. MENT SERVIC	X-REFERENCE(s	):				

SKETCH PLAN MEETING DATE:

# TOWN OF KNIGHTDALE

HIGHTDALA 1927 IF TH CAROLIN

DEVELOPMENT SERVICES DEPARTMENT

www.knightdalenc.gov

950 Steeple Square Court Knightdale, NC 27545 (v) 919.217.2245 (f) 919.217.2249

# PETITION FOR ZONING MAP AMENDMENT

By completing and signing this petition, the applicant, property owner and developer are hereby requesting the Town Council to rezone, or designate zoning, on property located within the Town of Knightdale's planning jurisdiction, or property requested to be annexed into the corporate limits. The submittal of this petition authorizes the Town of Knightdale to enter onto the property in order to conduct a site inspection and to post the property in accordance with the Town's public notification requirements. Submittal requirements are listed on the following page.

PROJECT INFORMATION	<u>N</u>								
PROJECT NAME:	608 Restauran	t Project							
PROJECT ADDRESS: 608 North First Ave.									
WAKE COUNTY PIN(s):	1754541029, 1	7945422046							
EXISTING ZONING:	RMX	EXISTING USE:	SF Residentia		lential	PROPOS	ED USE:	Restaura	ant
PROPOSED ZONING:	NMX-CD	SITE ACRES:		1.04 Acr	cres INSIDE CORPC		PORATE LI	MITS:	Yes
CONTACT INFORMATIC	)N								
APPLICANT:	Christopher Critzer		рно	NE:	919-7	769-2965	FAX:	833-871-4394	
ADDRESS:	Voyage Capital Ventures,	LLC		-					
	101 Forest Dr Suite D Kn	ightdale, NC 27545							
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SIGNATURE:	Chuff								
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PROPERTY OWNER:	Voyage Capital Ventures, LLC 101 Forest Dr., Suite D		PHONE: 9		919-769-2965 F		FAX:	833-871-4394	
ADDRESS:							_ ГАЛ.	пл. <u></u>	
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DEVELOPER:	Voyage Capital Vovage		рно	NE:	313-703	-2305	FAX:		
ADDRESS:									
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CASE NUMBER: ZMA	– – SUBM RECEL	ITTAL DATE: PT #:				X-RE	FERENCE:		

# 608 North 1st Avenue

# List of Proposed Land Use Classifications

Conditional Use District Rezoning to NMX-CD Town of Knightdale Project #ZMA-4-20

September 14, 2020

1. Restaurant

# 608 North 1st Avenue

# Restaurant Definition & Scope

Conditional Use District Rezoning to NMX-CD Town of Knightdale Project #ZMA-4-20

September 14, 2020

We will offer the Knightdale community a locally owned up-scale fast casual restaurant. Our farm to table concept will revolve around utilizing local farms, offering fresh food and serving beverages from local breweries and distilleries. We will bring something special to the town of Knightdale, allowing family and colleagues to gather and socialize, enjoy amazing cuisine in a modern rustic atmosphere, while simultaneously supporting the community and stimulating the local economy. We look forward to the opportunity of serving and supporting the fellow businesses, people, schools, KPD, KFD, and many more here in Knightdale.

In developing the restaurant, we will work to maintain and improve the existing building and the environment of the site to sustain its contribution to the neighborhood mix of residential and low-key commercial uses. Efforts will be made to protect the existing tree cover while meeting the requirements of the Knightdale Unified Development Ordinance and all other codes and guidelines that apply to the site.

# 608 North 1st Avenue

# **Rezoning Conditions**

# Conditional Use District Rezoning to NMX-CD Town of Knightdale Project #ZMA-4-20

September 14, 2020

- 1. Proposed hours of operation: Sunday through Saturday: 11:00 AM until 11:00 PM
- 2. Expected percent of alcohol sales: +/-10%.
- 3. Additions to the existing building shall be constructed of exterior materials that match or closely approximate the existing materials.
- 4. Additions to the existing building shall be painted to match the existing building's colors or to match any current or future change in colors to the existing building.
- 5. Existing windows on the original house shall remain in their current condition. Windows constructed on any addition to the current house shall be purported to remain compatible with those remaining on the original house.
- 6. Install permanent rock horseshoe filter dam, as per Town of Knightdale Standard Check Dam Detail, Std. No. 2.05, for on-site stormwater velocity reduction prior to its entering the Town stormwater control system.
- Extend the existing 10' wide Town of Knightdale promenade sidewalk, from its existing terminus inside Knightdale Station Park, to the site boundary line (+/-25 LF) (subject to suitable agreement and easement dedication between the Town and the site owner/developer.)
- 8. Extend the proposed Town of Knightdale promenade sidewalk, from its proposed terminus at the boundary line between Knightdale Station Park and the site, to a new terminus within the site (+/-65 LF) (subject to suitable agreement and easement dedication between the Town and the site owner/developer for the construction of condition number four (4), above.)



#### **Neighborhood Meeting Summary**

#### for Zoning Map Amendment - 608 N. First Avenue

- 1. Date: 7/23/20
- 2. Location: Virtual
- 3. Applicants Present: Chris Critzer applicant/developer, Emerald Michael Partner, Paul Meder, PE Rivers and Associates
- 4. Staff Present: Chris Hills, DSD
- 5. Number of Citizens in Attendance: 0
- 6. Start time: 6:00 p.m.
- 7. End time: 7:02
- 8. Process Guide
  - a. Public Hearing Meeting: 9/16
  - b. LURB Meeting: 10/12
  - c. Town Council Action: 10/21
- 9. Summary of Questions and Concerns by Citizens:
  - a. As there were no citizens in attendance, there were no questions.
  - b. Staff had a general conversation with the development team to go over the development process.



#### **Electronic Neighborhood Meeting Guidelines**

In response to the COVID-19 pandemic, the Town of Knightdale Development Services Department has established this set of guidelines for compliance with <u>UDO Section 15.3.C</u> regarding Neighborhood Meetings. An Electronic Neighborhood Meeting is only permitted during times of limited group gatherings, as a means of compliance with UDO regulations, and to ensure proposals remain on a relatively normal timeline.

### Why are Neighborhood Meetings required?

UDO Section 15.3.C requires a Neighborhood meeting prior to the submittal of any Zoning Map Amendment or Special Use Permit. The goal is to solicit feedback from neighboring residents to assist in bettering the proposal prior to the required public hearing. Applications for proposals must be submitted within six (6) months of the meeting (Sec 15.3.C.1); failure to submit within this time will require a subsequent meeting.

#### Instructions for Applicants

Applicants shall coordinate the scheduling of meetings with Town staff prior to sending notifications. The applicant will select an electronic meeting platform (Zoom, Microsoft Teams, WebEx, GoToWebinar, etc.) which is accessible to and intuitive for the general public. The meeting shall be scheduled Tuesdays or Thursdays, from 5:00 p.m. to 7:00 p.m., and accessible during that entire window oftime. The meeting cannot be held on Town observed holidays.

The following guidelines are required for the applicant to be considered in compliance. Failure to adhere to these guidelines will require the applicant to hold a new neighborhood meeting.

#### **Mailed Notice Requirements:**

- □ According to UDO Section 15.3.C.1, the applicant shall send written notices of the meeting via first-class mail at least 10 days prior to the meeting to property owners within 200 feet of the proposed project. See attached template.
- □ The applicant will be required to include in the attached mailed notice (on applicant letterhead), a vicinity map which contains the existing zoning and a map of the proposed development and zoning.
- □ The attached "Project Contact Information" sheet (on applicant letterhead).
- An agenda for the meeting shall be included with the mailed notice, including an explanation of the process for which the meeting is being held, an explanation of next steps (possible revisions to the plan based on comments received, Town Council Joint Public Hearing, Land Use Review Board meeting, Town Council decision), and an overview of development proposal.
- □ Include these guidelines (pages 1 and 2) with the mailed notices to property owners.



#### **Submittal Document Requirements:**

- □ The attached "Summary of Electronic Neighborhood Meeting Discussion" sheet filled out, consisting of questions or concerns by attendees, responses from the applicant, any questions or concerns received prior to the meeting, and a description of how the applicant proposes to respond to neighborhood concerns or changes made as a result of the meeting.
- □ The attached "Electronic Neighborhood Meeting Attendance" sheet.
- □ The attached "Affidavit of Conducting an Electronic Neighborhood Meeting and Issues/Responses Submittal".
- □ All the above items listed under "Mailed Notice Requirements" sent to applicable property owners.

#### Additional requirements:

□ Should any attendee request follow up information, the applicant will be required to maintain communication and inform town staff.



Date

Dear Knightdale Area Property Owner:

You are invited to a neighborhood meeting to learn more about a proposed project adjacent to or near your property. A Neighborhood Meeting is required by the Town of Knightdale Unified Development Ordinance and all property owners within 200 feet of the proposed development must receive notification of the meeting. The meeting will be an opportunity for residents and property owners to learn more about the project and provide feedback.

MeetingDate: July 23rd, 2020MeetingTime: 6:00pmMeetingWelcome:6:10pmProject Presentation: 6:20pmQ&A: 6:30pmMeeting Location: <a href="https://meet.google.com/zim-zgfb-gbg">https://meet.google.com/zim-zgfb-gbg</a>

Application type: Special Use Permit

Approving Authority: Town Council Legislative Approval

Address: 608 North First Ave. Knightdale NC 27545

PIN: 1754541029

Description of proposal: <u>Develop the property at 608 N. First Ave. into an upscale farm to</u> to table dining concept.

Estimated Submittal Date\*: July 27th, 2020

Enclosed is a map showing the location of the property being considered for this proposal. Additional materials and information may be available at the meeting. \*Please see the Development Services 2020 Meeting & Submittal Schedule

(https://www.knightdalenc.gov/ sites/default/files/uploads/Development Services/sub mittal and mee ting schedule 2020 2.pdf) for future public meetings dates.

If you have any questions, comments, or concerns about the proposal prior to the meeting, you may contact the developer/project manager at... These will be recorded as part of the meeting summary, which is submitted to Town staff and elected officials. You may also contact the Town of Knightdale Development Services Department at 919-217-224X (insert Project Manager's phone number).

Cc: Town of Knightdale Development Services Department



Project Contact Information	
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Project Name: 608 Restau	Irant Project	_Proposed Zoning: <u>RMX-CD</u>						
Location: 608 North First Ave.								
Property PIN(s): <u>1754541029</u> Acreage/Square Feet: <u>1.044 acres/4534sqft</u>								
Property Owner: SOTO, AN	TONIO J RODRIGUE	Z ROM	AN, ELIZABET	H C GUTIERRE				
Address: 608 North First Ave	Э.							
City: Knightdale		State:	NC	_Zip:27545				
Phone:			Email:					
Developer: <u>Christopher Cr</u>	itzer dba Voyage Ca	apital Ve	ntures, LLC					
Address:101 Forest Drive Su	uite D							
City: Knightdale		State:	NC	_Zip:27545				
Phone:919-769-2965			Email:cmcritz	er@gmail.com				
Engineer: <u>Rivers and Assoc</u>	ciates Inc.							
Address: PO Box 929								
City: Greenville		State:	NC	_Zip: 27835				
Phone: 252-752-4135			Email:					
Builder (if known): <u>G&amp;G Bu</u>	ilders							
Address: 1603 Hollybrook R	oad							
City: Wendell		State:	NC	_Zip: 27539				
Phone: 919-365-7488			_Email:					



#### Summary of Discussions

Provide a summary of any questions or comments received from meeting attendees along with responses by the applicant. If the question or comment will result in a change to the proposal, please state how that change will be made and the resulting follow up with the applicant. Use duplicate sheets if needed.

Question/Concern #1:

Hours of Operation?

Applicant's Response:

3pm Until 10pm

Question/Concern #2:

Will the terrace host outdoor eating area?

Applicant's Response:

No, The terrace will be an overflow seating area for parties waiting for their table.

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:



### ELECTRONIC NEIGHBORHOOD MEETING ATTENDANCE SHEET

Please list Electronic Neighborhood Meeting Attendees who provided their name and/or contact information either during the meeting or via phone/email before or after the meeting. Use duplicate sheets if needed.

	Name/Organization	Address	Phone Number	Email Address	Follow Up Requested?
1.	Christopher Critzer Voyage Capital	101 Forest Drive Knightdale, NC 27545	919-769-2965	cmcritzer@gmail.com	·
2.	Emerald Mikeal Voyage Capital	101 Forest Drive Knightdale, NC 27545	919-523-2420	Emikeal25@gmail.com	
3.	Paul Meder Rivers & Associates Inc.		919-215-2492	pmeder@riversandassociates.com	
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					



# Affidavit of Conducting an Electronic Neighborhood Meeting and Issues/Responses Submittal

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I,\_\_\_\_\_, do hereby declare as follows:

1.1 have conducted an Electronic Neighborhood Meeting for the proposed Zoning Map Amendment or Special Use Permit in accordance with UDO 15.3.C Neighborhood Meeting.

2. The meeting invitations were mailed to all property owners within 200 feet of the subject property via first class mail a minimum of 10 days in advance of the Electronic Neighborhood Meeting.

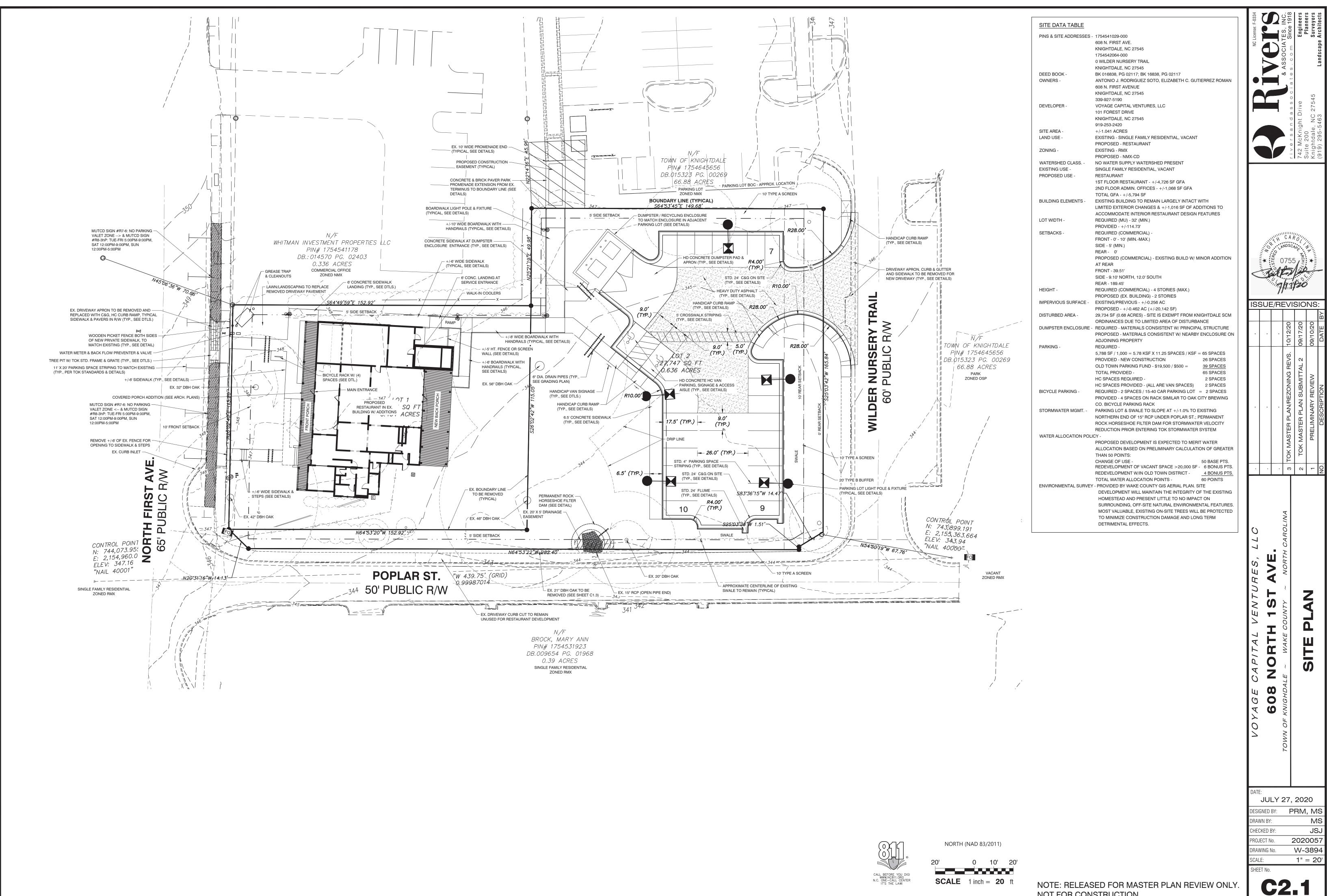
3. The meeting was conducted via \_\_\_\_\_\_(indicate format of meeting) on \_\_\_\_\_\_(date) from \_\_\_\_\_\_(start time) to \_\_\_\_\_\_(end time).

4. I have included the mailing list, meeting invitation, attendance sheet issue/response summary, and zoning map/reduced plans with the application.

5. I have prepared these materials in good faith and to the best of my ability.

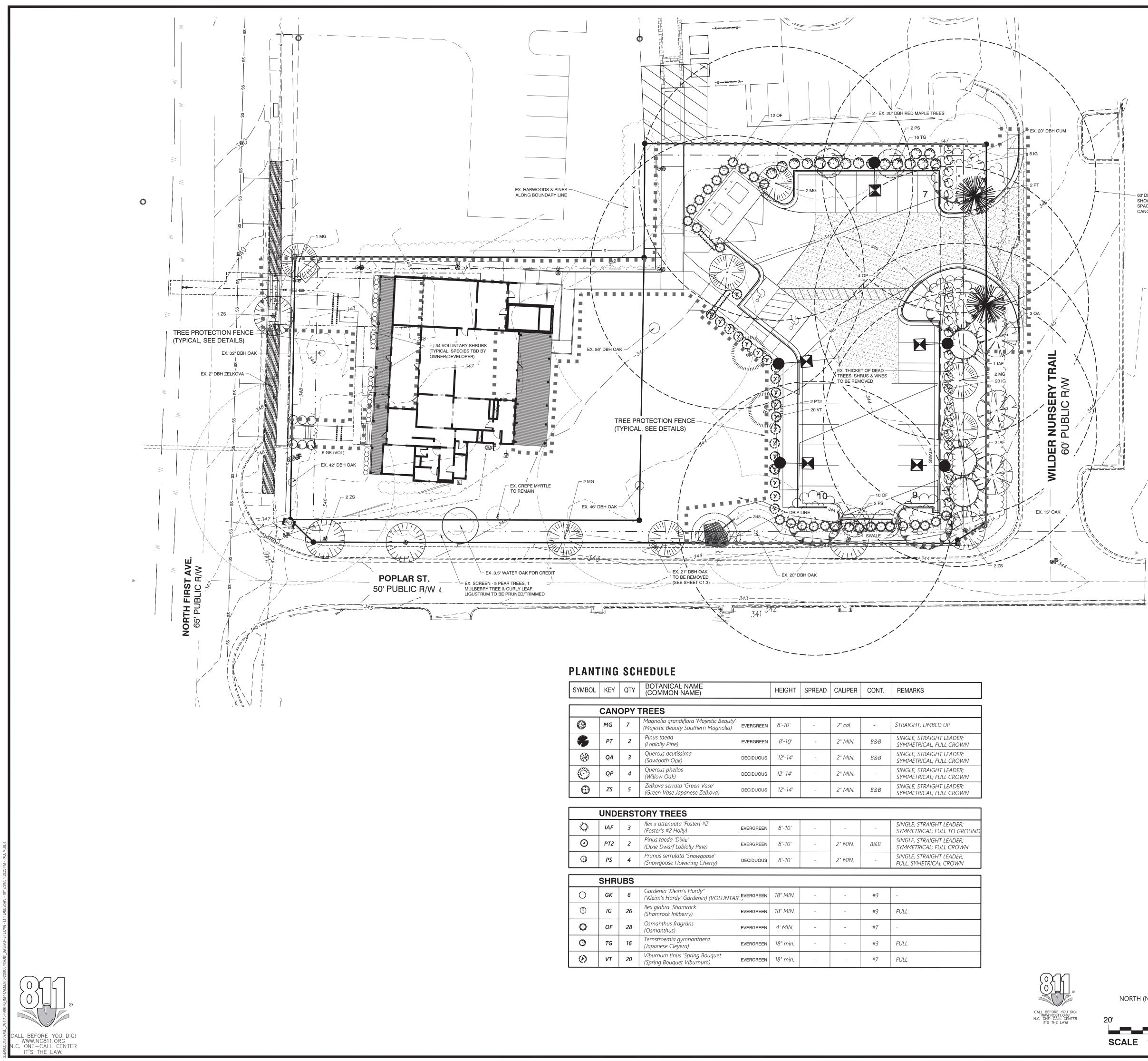
IN WITNESS WHEREOF, I have hereunto set my hand and seal this	day of	2020.
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Notary Public My Commission Expires:

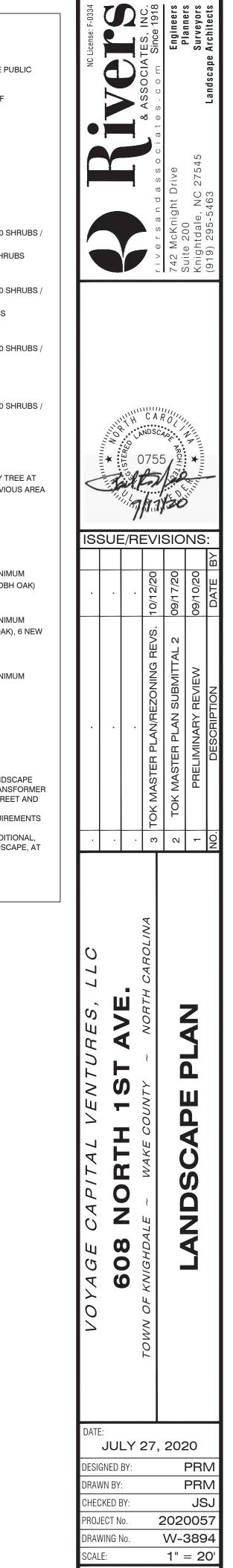


**SCALE** 1 inch = **20** ft

NOTE: RELEASED FOR MASTER PLAN REVIEW ONLY. NOT FOR CONSTRUCTION.



SYMBOL	KEY	QTY	BOTANICAL NAME (COMMON NAME)		HEIGHT	SPREAD	CALIPER	CONT.	REMARKS
	CAN	OPY .	TREES						
	MG	7	Magnolia grandiflora 'Majestic Beauty' (Majestic Beauty Southern Magnolia)	EVERGREEN	8'-10'	-	2" cal.	-	STRAIGHT; LIMBED UP
*	PT	2	Pinus taeda (Loblolly Pine)	EVERGREEN	8'-10'	-	2" MIN.	B&B	SINGLE, STRAIGHT LEADER; SYMMETRICAL; FULL CROWN
$\otimes$	QA	3	Quercus acutissima (Sawtooth Oak)	DECIDUOUS	12'-14'	-	2" MIN.	B&B	SINGLE, STRAIGHT LEADER; SYMMETRICAL; FULL CROWN
Ũ	QP	4	Quercus phellos (Willow Oak)	DECIDUOUS	12'-14'	-	2" MIN.	-	SINGLE, STRAIGHT LEADER; SYMMETRICAL; FULL CROWN
	ZS	5	Zelkova serrata 'Green Vase' (Green Vase Japanese Zelkova)	DECIDUOUS	12'-14'	-	2" MIN.	B&B	SINGLE, STRAIGHT LEADER; SYMMETRICAL; FULL CROWN
		EDGT	ORY TREES						
- O			Ilex x attenuata 'Fosteri #2'		01 4 01				SINGLE, STRAIGHT LEADER;
<u></u>	IAF	3	(Foster's #2 Holly)	EVERGREEN	8'-10'	-	-	-	SYMMETRICAL; FULL TO GROUND
•	PT2	2	Pinus taeda 'Dixie' (Dixie Dwarf Loblolly Pine)	EVERGREEN	8'-10'	-	2" MIN.	B&B	SINGLE, STRAIGHT LEADER; SYMMETRICAL; FULL CROWN
J	PS	4	Prunus serrulata 'Snowgoose' (Snowgoose Flowering Cherry)	DECIDUOUS	8'-10'	-	2" MIN.	-	SINGLE, STRAIGHT LEADER; FULL, SYMETRICAL CROWN
	SHRI	JBS							
0	GK	6	Gardenia 'Kleim's Hardy" ('Kleim's Hardy' Gardenia) (VOLUNTAR		18" MIN.	-	-	#3	-
Ū	IG	26	llex glabra 'Shamrock' (Shamrock Inkberry)	EVERGREEN	18" MIN.	-	-	#3	FULL
Ø	OF	28	Osmanthus fragrans (Osmanthus)	EVERGREEN	4' MIN.	-	-	#7	-
0	TG	16	Ternstroemia gymnanthera (Japanese Cleyera)	EVERGREEN	18" min.	-	-	#3	FULL
8	VT	20	Viburnum tinus 'Spring Bouquet (Spring Bouquet Viburnum)	EVERGREEN	18" min.	-	-	#7	FULL



SHEET No.

L1.1

# - 60' DIA. TREE COVERAGE CIRCLES SHOW THAT ALL PARKING SPACES ARE WITHIN 60' OF A CANOPY TREE TREE

· =====

SCREENING DUMPSTER ENCLOSURE PROVIDED - 58 LF - 12 SHRUBS VEHICLE ACCOMMODATION AREAS 100 LF 100 LF PROVIDED - 2 EX. GUM TREES (20" DBH), 2 UNDERSTORY TREES, 16 SHRUBS REQUIRED - TYPE A BUFFER, 3 CANOPY TREES, 2 UNDERSTORY TREES & 20 SHRUBS / 100 LF SOUTH SIDE OF PARKING LOT (POPLAR ST.) - 62 LF REQUIRED - TYPE A BUFFER, 3 CANOPY TREES, 2 UNDERSTORY TREES & 20 SHRUBS / 100 LF PROVIDED - 2 CANOPY TREES , 2 UNDERSTORY TREES, 16 SHRUBS PARKING LOT LANDSCAPING REQUIRED - ALL PARKING SPACES WITHIN 60' OF A CANOPY TREE, CANOPY TREE AT END OF ALL PARKING BAYS, ALL DECIDUOUS, MIN. 300 SF PERVIOUS AREA / TREE **PROVIDED - 6 CANOPY TREES** STREET TREES NORTH FIRST AVE.

REQUIRED - DECIDUOUS / HARDWOOD CANOPY TREES AT 40' O.C. AVE. MINIMUM PROVIDED - 94 LF - 3 EX. CANOPY TREES (2 IN THE PUBLIC R/W & 1 EX. 42" DBH OAK) POLAR ST.

REQUIRED - DECIDUOUS / HARDWOOD CANOPY TREES AT 40' O.C. AVE. MINIMUM PROVIDED - 304 LF - 2 EX. CANOPY TREES (1 EX. 20" OAK & 1 EX. 3.5" DBH OAK), 6 NEW CANOPY TREES = 8 TREES TOTAL

WILDER NURSERY TRAIL REQUIRED - DECIDUOUS / HARDWOOD CANOPY TREES AT 40' O.C. AVE. MINIMUM PROVIDED - 129 LF - 3 CANOPY TREES

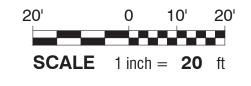
TREE CANOPY

REQUIRED - ON LOTS OF 2 ACRES OR MORE PROVIDED - NOT REQUIRED ON LOT OF 1.041 AC.

# LANDSCAPE NOTES

- 1. CONTRACTOR SHALL COORDINATE WITH DUKE ENERGY AND THE LANDSCAPE ARCHITECT PRIOR TO THE INSTALLATION OF ANY TRANSFORMER. TRANSFORMER SHALL BE LOCATED SO AS TO MINIMIZE VISUAL IMPACT FROM THE STREET AND TO PERMIT INSTALLATION OF TOK REQUIRED SCREENING. 2. CONTRACTOR SHALL SCREEN TRANSFORMER AS PER TOK UDO REQUIREMENTS
- AND ASSOCIATED GUIDELINES. 3. OWNERS/DEVELOPERS RESERVE THE RIGHT TO INSTALL/REMOVE ADDITIONAL. VOLUNTARY, NON-CODE REQUIRED LANDSCAPING, EXCLUDING HARDSCAPE, AT THEIR SOLE DISCRETION.
- 4. 9 EVERGREEN CANOPY TREES OUT OF 21 = 43% EVERGREEN. 5. 5 EVERGREEN UNDERSTORY TREES OUT OF 9 = 56% EVERGREEN.
- 6. 96 EVERGREEN SHRUBS OUT OF 96 = 100% EVERGREEN.

NORTH (NAD 83/2011)



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# LANDSCAPE CALCULATIONS BUFFERS

EAST SIDE - PROPOSED NMX-CD ZONING AGAINST EX. RMX ZONING IN THE PUBLIC R/W REQUIRED - TYPE A BUFFER YARD - 129 LF AT THE R/W

3 CANOPY TREES, 2 UNDERSTORY TREES & 20 SHRUBS / 100 LF TREES - 40%-60% EVERGREEN, SHRUBS - 80% EVERGREEN PROVIDED - 4 CANOPY TREES, 3 UNDERSTORY TREES, 26 SHRUBS

REQUIRED - 20 SHRUBS / 100 LF, MIN. 8' HT AT MATURITY

WEST SIDE OF PARKING LOT (BUILDING SIDE) - 100 LF REQUIRED - TYPE A BUFFER, 3 CANOPY TREES, 2 UNDERSTORY TREES & 20 SHRUBS /

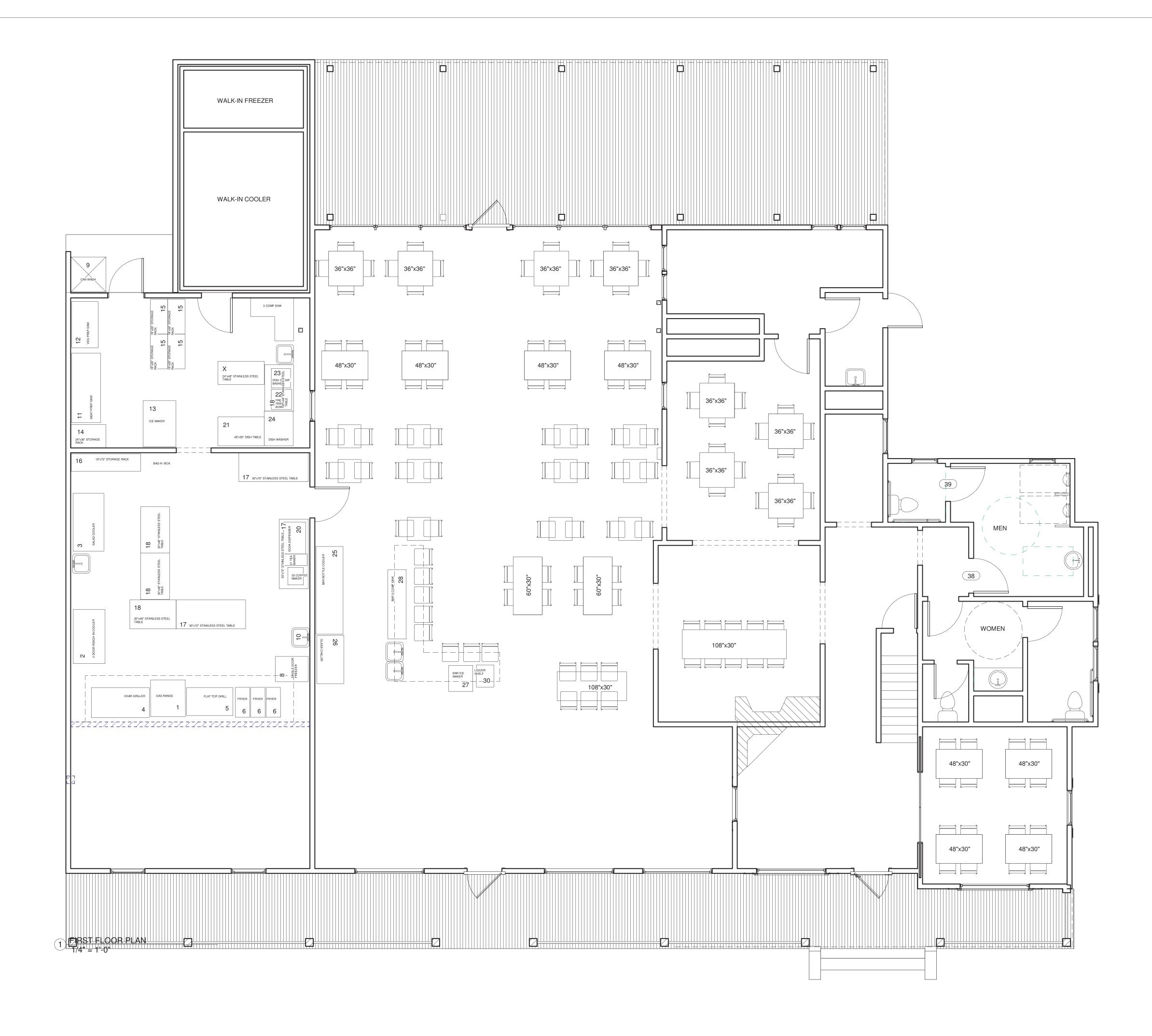
PROVIDED - 2 EX. OAK TREES (46" & 56" DBH), 2 UNDERSTORY TREES, 20 SHRUBS

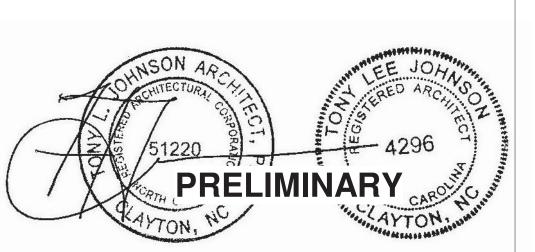
NORTH SIDE OF PARKING LOT (ADJACENT PARKING LOT) - 64 LF

REQUIRED - TYPE A BUFFER, 3 CANOPY TREES, 2 UNDERSTORY TREES & 20 SHRUBS /

EAST SIDE OF PARKING LOT (WILDER NURSERY TRAIL) - 83 LF

# PROVIDED - 4 CANOPY TREES, 3 UNDERSTORY TREES, 26 SHRUBS





# MAIN FLOOR: 4,726 SQ FT 2ND FLOOR: 1,068 SQ FT



REVISIONS

NUMBER DATE

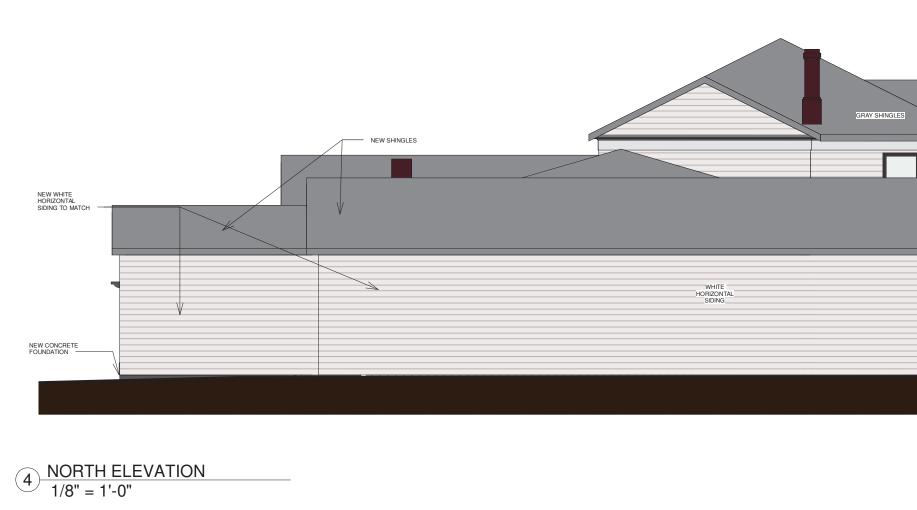
AVENUE



# 3 N. FIRST AVENUE - WEST ELEVATION 1/4" = 1'-0"













# TOWN OF KNIGHTDALE

950 Steeple Square Court Knightdale, NC 27545 KnightdaleNC.gov

# ORDINANCE #20-11-18-002 AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE WHICH INCLUDES THE ZONING DISTRICT MAP

# ZMA-4-20 608 N First Avenue Restaurant Conditional District

**WHEREAS**, the Town of Knightdale has received a petition to amend the zoning of property from Residential Mixed Use (RMX) to Neighborhood Mixed Use Conditional District (NMX-CD) and;

WHEREAS, the Town Council finds the proposed zoning map amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan as it addresses several of the guiding principles such as creating a unique activity center within walking distance of residential and commercial uses, establishing a compact development centrally located in Town, emphasizing community design of the site and building, achieving redevelopment of under-utilized land and promoting economic vitality by adding new and unique non-residential development for a small and locally owned business. Further, it is consistent with the General Growth Framework and Growth & Conservation Map's designation as a "Old Town" placetype. 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."

**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, which includes the Zoning District Map, be amended to rezone two tracts of land totaling approximately  $1.04\pm$  acres located within the Town of Knightdale's Corporate Limits, at 806 N First Ave., and identified as Wake County PINs 1754-54-1029 and 1754-54-2064 from Residential Mixed Use (RMX) to Neighborhood Mixed Use Conditional District (NMX-CD) as indicated.

**SECTION 2.** That the additional conditions contained within the application identified as ZMA-3-20 and List of Reasonable Land Uses and Conditions (Exhibit A), and listed below apply as additional zoning conditions to the parcel of land identified as PINs 1754-54-1029 and 1754-54-2064:

- 1. Restaurant shall be the only permitted use on-site. All other uses in the NMX zoning district shall be prohibited.
- 2. Proposed hours of operation: Sunday through Saturday: 11:00 AM to 11:00 PM
- 3. Expected percent of alcohol sales: +/-10%.

- 4. Additions to the existing building shall be constructed of exterior materials that match or closely approximate the existing materials.
- 5. Additions to the existing building shall be painted to match the existing building's colors or to match any current or future change in colors to the existing building.
- 6. Existing windows on the original house shall remain in their current condition. Windows constructed on any addition to the current house shall be purported to remain compatible with those remaining on the original house.
- 7. Install permanent rock horseshoe filter dam, as per Town of Knightdale Standard Check Dam Detail, Std. No. 2.05, for on-site stormwater velocity reduction prior to its entering the Town stormwater control system.
- 8. Extend the existing 10' wide Town of Knightdale promenade sidewalk, from its existing terminus inside Knightdale Station Park, to the site boundary line (+/-25 LF) (subject to suitable agreement and easement dedication between the Town and the site owner/developer.)
- 9. Extend the proposed Town of Knightdale promenade sidewalk, from its proposed terminus at the boundary line between Knightdale Station Park and the site, to a new terminus within the site (+/-65 LF) (subject to suitable agreement and easement dedication between the Town and the site owner/developer for the construction of condition number four (4), above.)

**SECTION 3.** That the Master Plan attached as ZMA-4-20 608 N First Ave Restaurant be adopted in its entirety to be included in this Ordinance and to have the same effect in law.

**SECTION 4.** That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

**SECTION 5.** 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 6.** 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 7.** That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code

SECTION 8. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 18<sup>th</sup> day of November, 2020

James A. Roberson, Mayor

ATTEST:

Heather M. Smith, Town Clerk

APPROVED AS TO FORM:

Roger Knight, Town Attorney