



Town of Knightdale

Staff Report

Title: ZMA-13-21: EP Mart Redevelopment
Conditional District Rezoning

Staff: Kevin Lewis, Senior Planner

Date: August 18, 2022

Director Signature: JB

Asst. Town Manager Signature: DT

Town Manager Signature: WRS

I. REQUEST:

Kimley-Horn & Associates, Inc., on behalf of Eastern Petroleum Corp., has submitted an application requesting a Zoning Map Amendment to rezone approximately 2.33 acres at 7604 Knightdale Blvd., identified by Wake County PIN 1754-55-8995, from HB to HB-Conditional District to allow for the redevelopment of the existing convenience store with gas station.

II. PROJECT PROFILE:

PROPERTY LOCATION:	7604 Knightdale Blvd
WAKE COUNTY PIN:	1754-55-8995
CURRENT ZONING DISTRICT:	Highway Business
PROPOSED ZONING DISTRICT:	Highway Business Conditional District
NAME OF PROJECT:	EP Mart Redevelopment
APPLICANT:	Kimley-Horn & Associates, Inc.
PROPERTY OWNER:	Eastern Petroleum Corp.
PROPERTY SIZE:	2.33-acres
CURRENT LAND USE:	Gas Station with Convenience Store (UDO Sec 3.1.C.4.c)

III. BACKGROUND INFORMATION:

The Conditional District (ZMA-CD) rezoning process provides a procedure for the rezoning of property based upon the recognition that certain types of zoning districts would be inappropriate at locations in the absence of special conditions. Conditional Districts provide for orderly and flexible development under the spirit and intent of the general policies of the General District without the constraints of the principal structure dimensional standards. A Conditional District allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. All site-specific standards and conditions must be consistent with the spirit and intent of this Unified Development Ordinance as well as consistent with the goals and objectives of the KnightdaleNext 2035 Comprehensive Plan and adopted area plans.

There are two types of Conditional Districts, required and voluntary. In this case, the use (“Gas Station with Convenience Store”) is a required Conditional District. The use was established prior to adoption of the current UDO, however the scope of the proposed redevelopment triggers the need for a rezoning process



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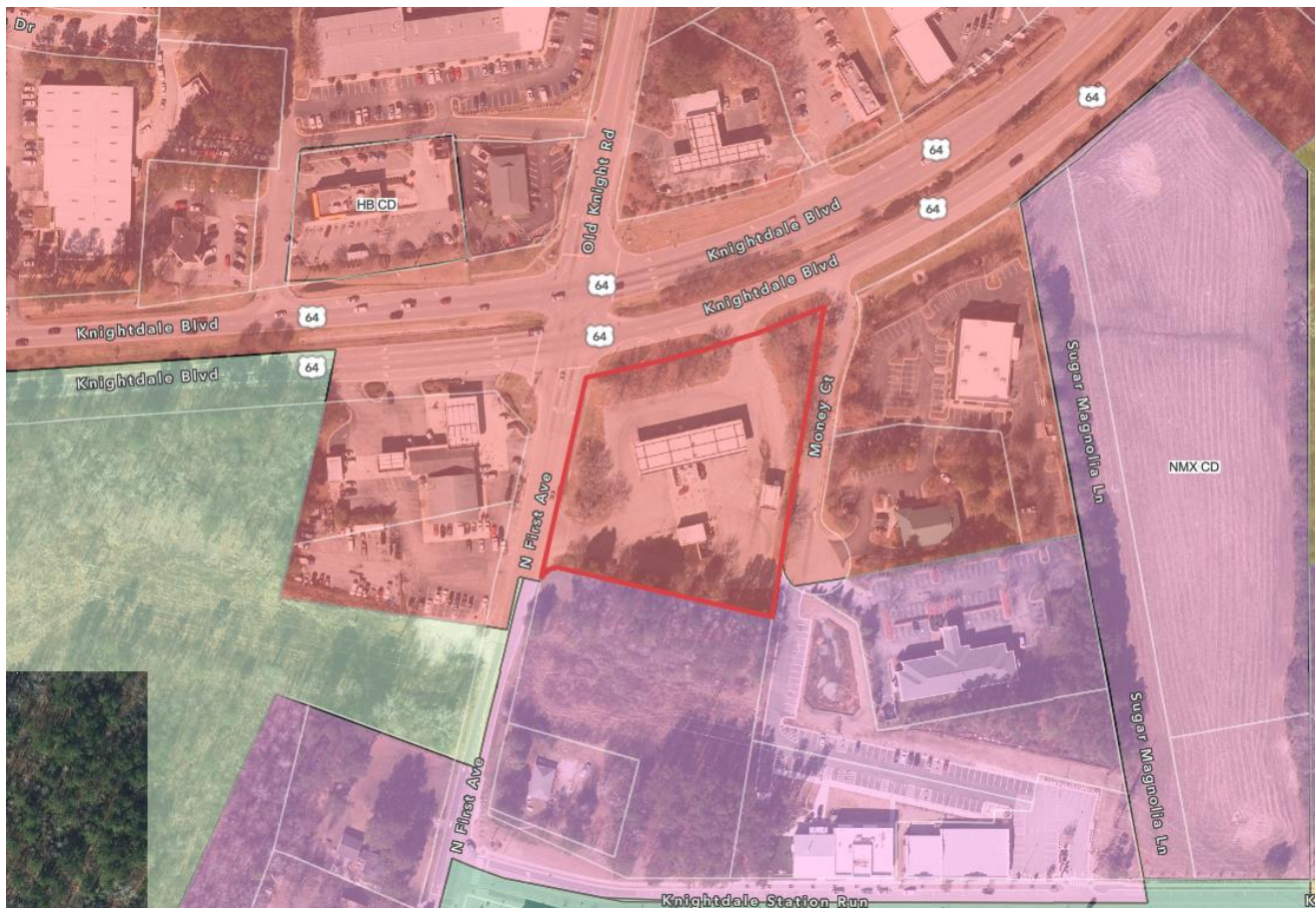
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According to UDO Section 12.2.G.3.f, all standards and requirements of the corresponding General District shall be met; although the applicant may request relief from certain standards, provided that the overall development still meets the spirit and intent of the UDO and Comprehensive Plan. Additionally, 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 with consent of the applicant. 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.

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

The proposed rezoning includes one (1) parcel, located on the southeast corner of Knightdale Blvd and North First Avenue. The parcel is already located within the Town limits and does not require annexation.

DIRECTION	LAND USE	ZONING
North	Retail	HB
South	Vacant	NMX
East	Retail	HB
West	Retail	HB





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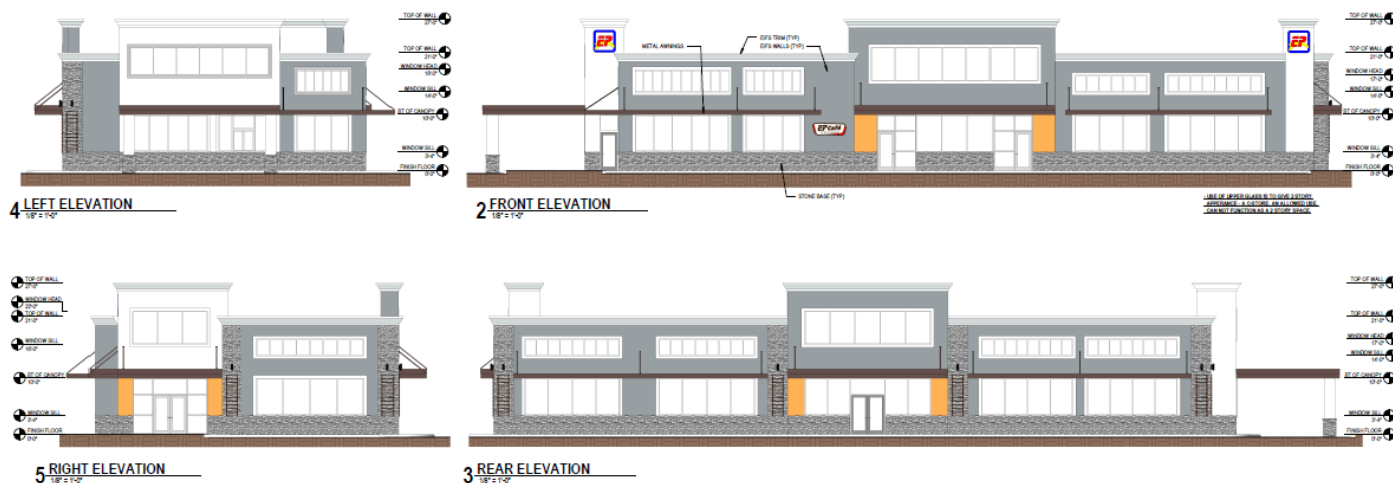
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VI. LEGISLATIVE CASE PROCEDURES:

A Conditional District rezoning is a legislative process that requires Town Council to hold a public hearing and receive a recommendation from the Land Use Review Board prior to acting on the application. Additionally, certain application procedures are required, such as 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: April 9, 2021
- Neighborhood Meeting: April 5, 2022

The neighborhood meeting was held virtually via Zoom; no neighbors attended. A copy of the mailed notice, list of recipients, and summary of the meeting are attached as part of the application packet.

As noted below, the Town of Knightdale staff also followed public hearing notice requirements as prescribed in the North Carolina state statutes.

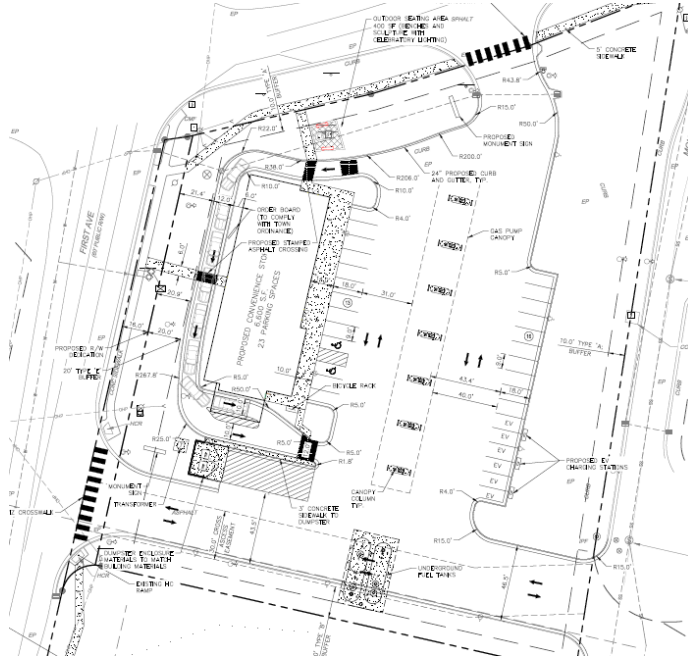
- First Class Letters Mailed: August 5, 2022
- Sign Posted on Property: August 5, 2022
- Legal Ad Published in Wake Weekly: August 5 & 12, 2022



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2. Pumps, canopies, and associated service areas are prohibited in any front yard.



3. All canopies shall be set back a minimum of ten (10) feet from any adjoining public right-of-way or HB or MI zoned property and twenty (20) feet from any adjoining OSP, RR, GR, UR, RMX, NMX or TC zoned property.
4. All canopies shall:
 - a. Maintain a uniform and consistent roof line with the convenience store building;
 - b. **Have columns, solid walls, or semi-solid walls placed so that they are similar in their relation to the roof as that of the exterior walls of the convenience store building; and**
 - c. **Be finished with materials consistent with the primary convenience store building façade.**





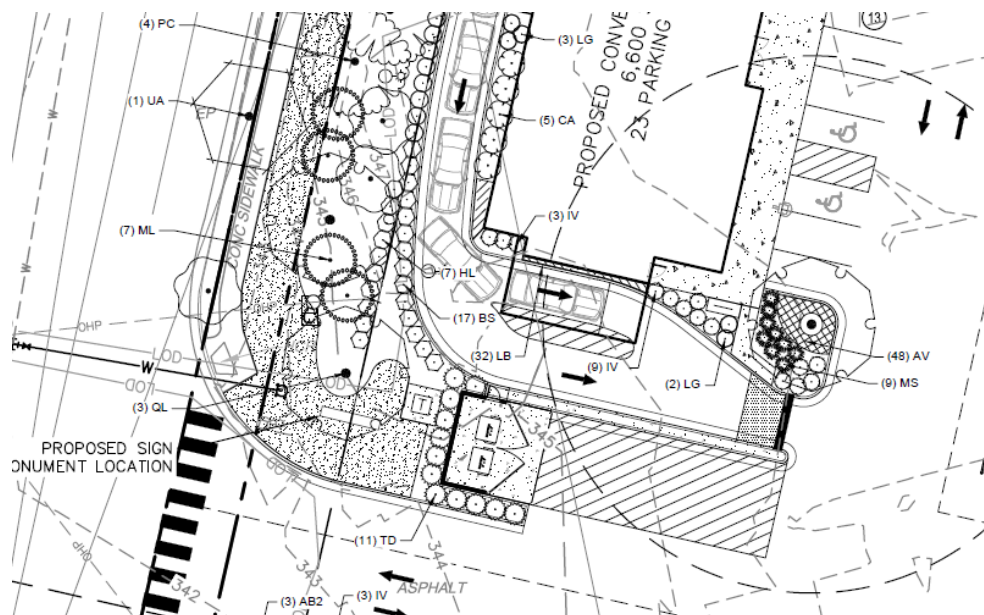
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5. All vehicle storage areas shall be considered parking lots and must comply with the provisions of Chapter 7. These areas shall also be enclosed by an opaque fence or wall that meets the requirements of Section 7.4 (I) and restricted to the rear yard. No overnight vehicle storage shall be permitted in the NMX or TC Districts.
6. The outdoor service area of a car wash shall be restricted to the rear yard and screened from off-site view from a public right-of-way by a Type-A buffer yard (Section 7.4 (I)(2)).
7. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.

C. **Additional Use Standards-Drive-Thru Service:** The proposed development also includes a drive-thru window and circulation drive along the north and west side of the site. Additional standards are required for this use, per Section 5.10.C.

1. No drive-thru facility, defined as the footprint of associated vehicle accommodation lanes and canopies, shall be located within a 200-foot radius of the property line of any residential use (Section 2.3 (C)(1)).
2. Drive-thru service windows, doors, and similar building openings may be located and accessed only in the side or rear yards.
3. Drive-thru service windows, doors, and similar building openings located and accessed in the side yard shall be limited to one (1) lane in the NMX district and shall be screened from off-site view from a public right-of-way by a Type-A buffer (Section 7.3 (I)(2)). **In the HB and MI districts, drive-thru service windows, doors and similar building openings located and accessed in the side yard may be multi-lane but shall be screened from off-site view from a public right-of-way by a Type-B buffer (Section 7.3 (I)(3)).**

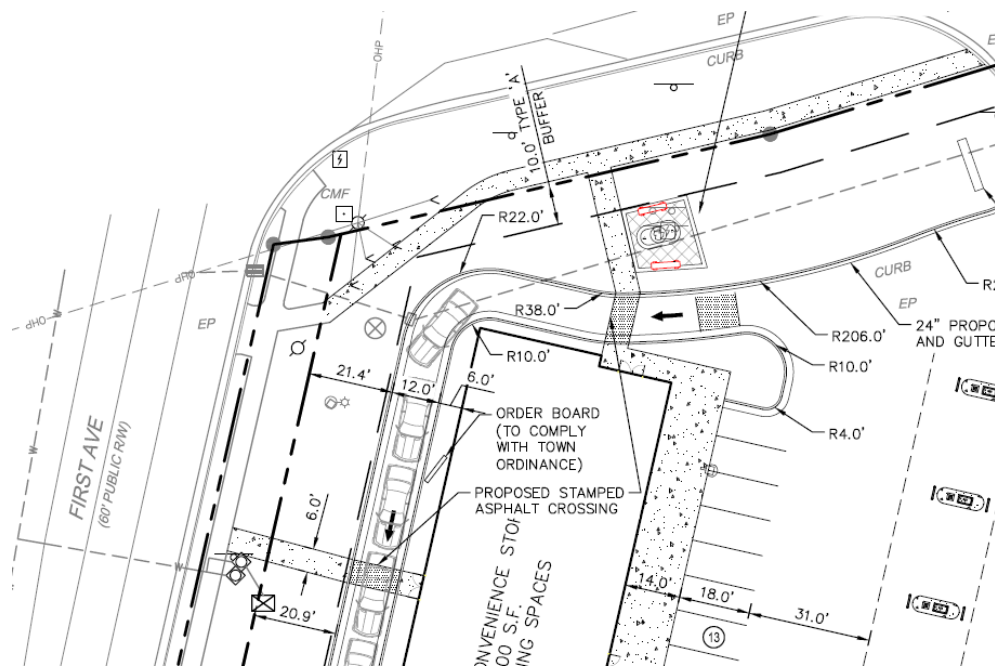




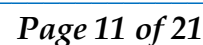
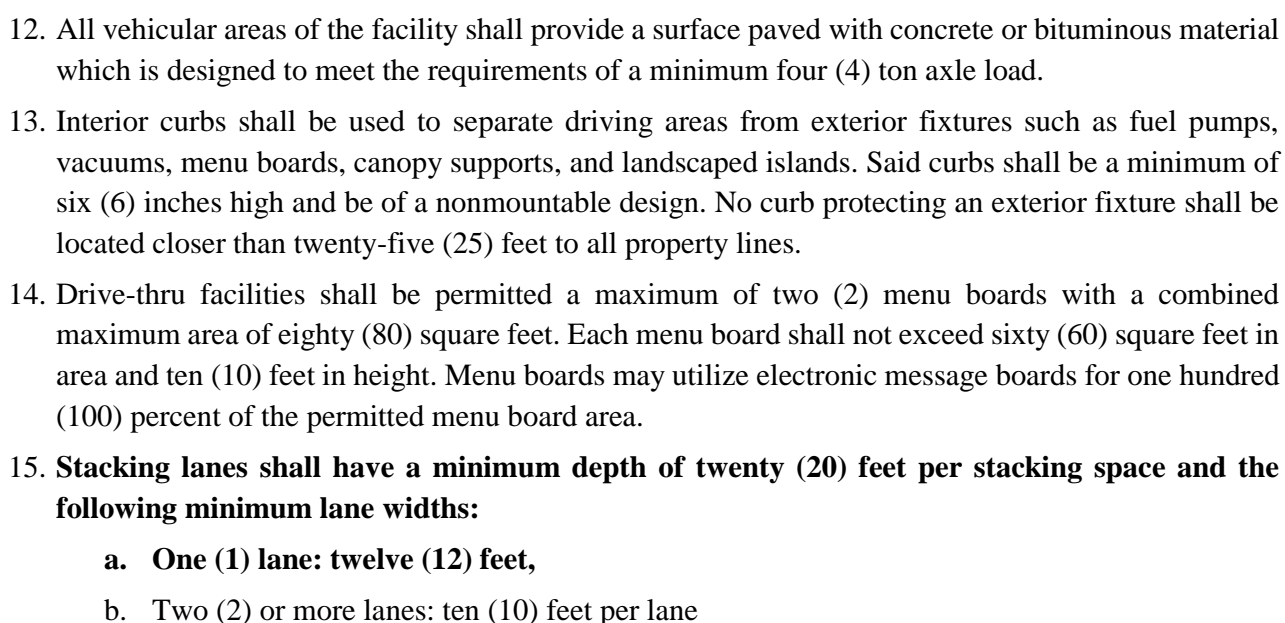
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4. In addition to meeting the requirements of Section 7.1, vehicle accommodation lanes for drive-thru uses shall be located outside of and physically separated from the right-of-way of any street. These lanes shall not interfere with the efficient internal circulation of the site, adjacent property, or adjacent street right-of-way.
5. **In the HB & NMZ zoning district Drive-Thru Retail/Restaurants & Drive-Thru Services shall be located in structures that meet the building type: Mixed-Use as defined in Section 6.8.**
6. **Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility adjacent to the drive-thru lane(s).**



7. The setback of any overhead canopy or similar structure shall be a minimum of ten (10) feet from all street rights-of-way lines, a minimum of twenty (20) feet from all residentially-zoned property lines and shall be a minimum of five (5) feet from all other property lines.
8. The total height of any overhead canopy or similar structure shall not exceed twenty (20) feet as measured from the base of the structure to the highest part of the structure.
9. **Any overhead canopy or similar structure shall maintain a uniform and consistent roof-line with the building to which the drive-thru facility is a part.**
10. **Any overhead canopy or similar structure shall have columns, solid walls, or semi-solid walls placed so that they are similar in their relation to the roof as that of the exterior walls of the building to which the drive-thru facility is a part.**
11. **Any overhead canopy or similar structure shall be finished with materials consistent with the primary building façade.**

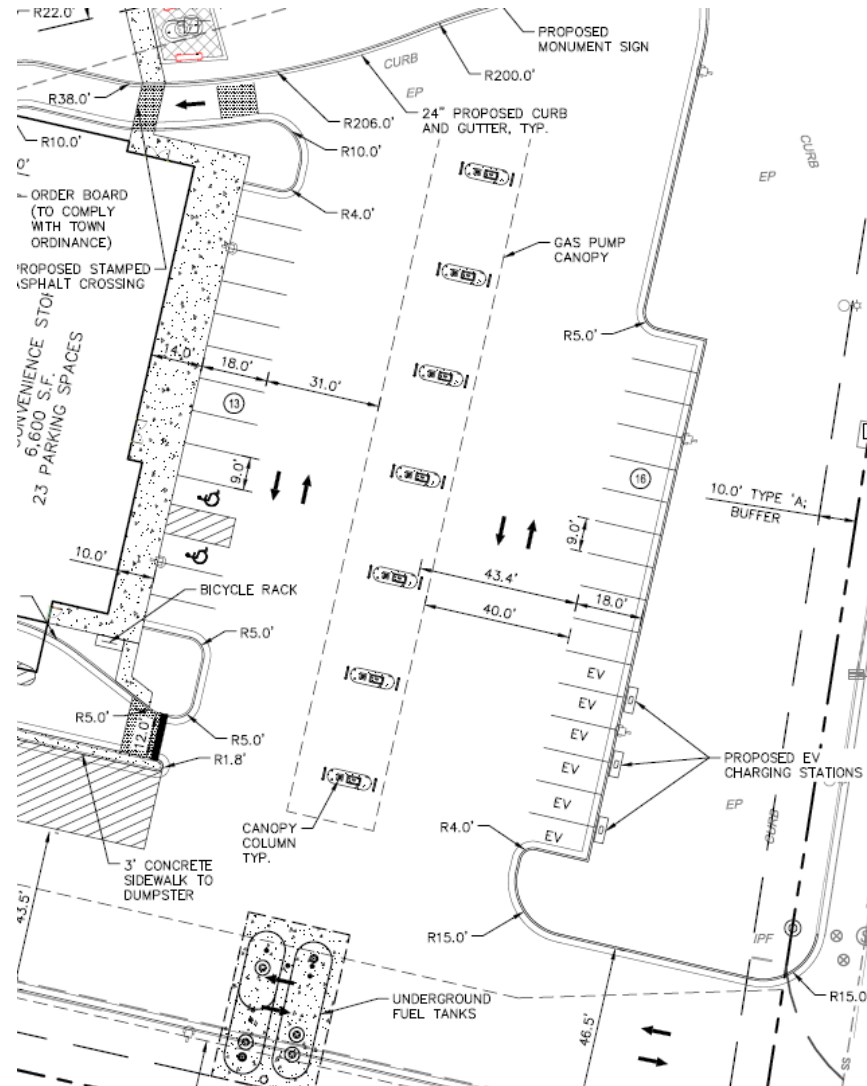




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- E. **Parking:** Approximately 29 parking spaces are provided on the east side of the site, bordering the fuel pumps and canopy. These spaces include six electric vehicle charging stations, above the number required by the UDO. Bicycle parking is also provided closer to the main entrance of the building. Appropriate landscaping & screening is proposed for all parking areas.



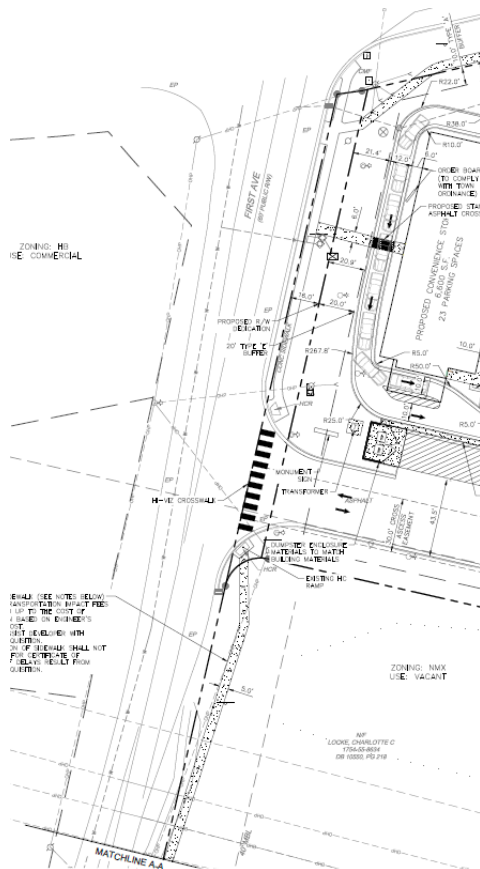


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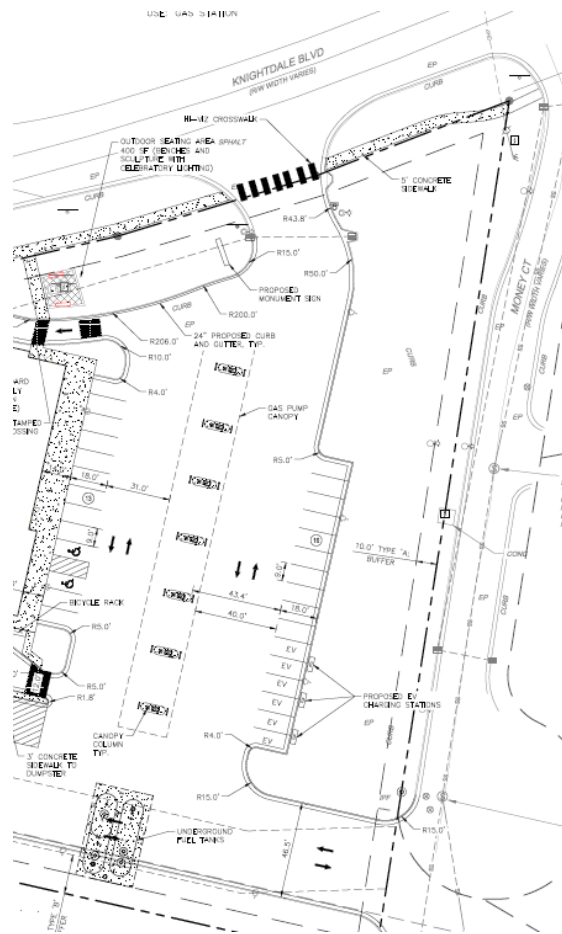
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- F. **Pedestrian Connectivity:** The applicant proposes an extension of sidewalk along North First Ave, off-site to the intersection of Knightdale Station Run, closing a gap in the sidewalk network and providing better connectivity in this section of Old Town.

Per UDO Section 7.3A, sidewalks shall be provided along all sides of the lot that abut a public street. Money Court is owned and maintained by the Town, and currently does not feature sidewalk along the frontage of this site. Sidewalk was removed from this location as a result of the addition of sidewalk along North First Ave.



North First Ave



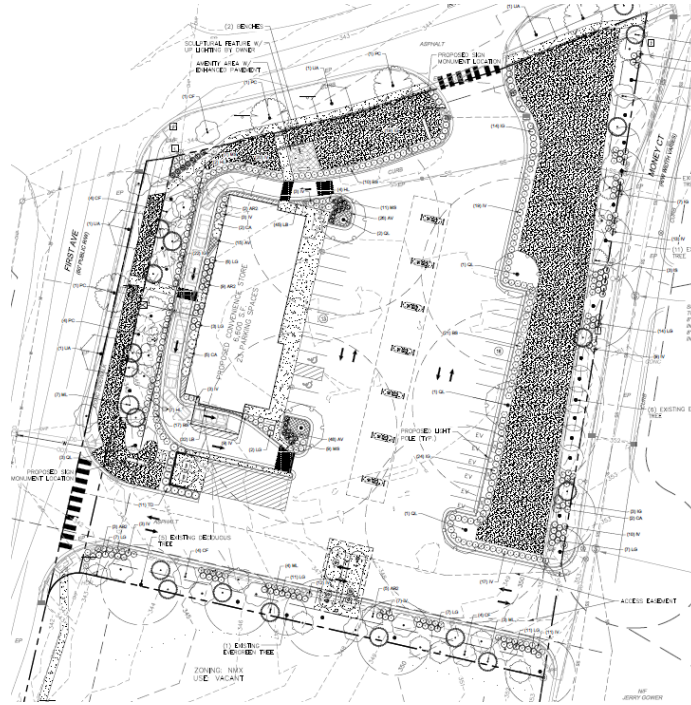
Money Court



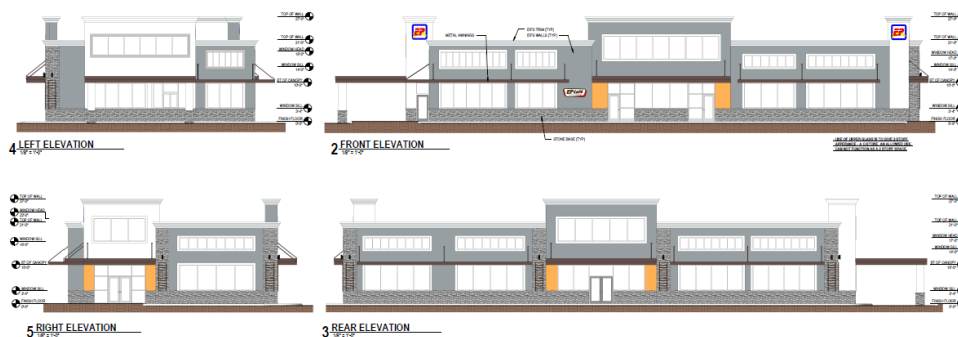
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- G. **Landscaping & Screening:** In accordance with UDO Sections 7.4 and 7.5, parking lot screening and landscaping is provided on all sides of the site. Existing vegetation will remain undisturbed in many locations, with new plantings added to achieve the performance standards required.



- H. **Stormwater Management:** The current site does not feature any SCM, as it was developed prior to the current regulations which would otherwise require those devices. The proposed site development would result in a reduction of approximately 0.23 acres of impervious surface, therefore, no new SCM will be required to serve the site.
- I. **Site Development Allowances:** As previously noted, a required Conditional District rezoning allows the applicant the opportunity to request relief from specific UDO requirement pertaining to the development of their site.
1. **Mixed-Use Building Type Standards:** The applicant is proposing a single-story commercial building, which does not meet the requirements for Gas Station with Convince Stores and Drive-Thru Services as detailed in UDO Sections 5.5.B.1, 5.10.C.5, and 6.8.





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- Site plan of the proposed convenience store and parking lot. The plan shows a building footprint with a "PROPOSED STAMPED ASPHALT CROSSING" and an "ORDER BOARD (TO COMPLY WITH TOWN ORDINANCE)". The parking lot is labeled "23 PARKING SPACES" and "6,500 S.F.". Dimensions are provided for various areas, including a 54'-3" width and a 60'-0" depth. The plan also shows a "BICYCLE RACK" and a "CURB".

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4. **Gas Station Canopies:** Per UDO Section 5.5.B.4, canopies shall be finished in materials consistent with the primary building. The Master Plan includes elevations which feature a corporate branded canopy.



VIII: COMPREHENSIVE PLAN:

A. Growth Framework Map

The Comprehensive Plan features the Growth Framework Map, a high-level tool for assisting in the decision-making process for development proposals. The intent is to prioritize development proposals based how well it fits within the existing conditions of the surrounding area. The map designates this area within the Priority Investment Area and Growth Activity Center.

LEGEND

	Corporate Limits		Street Centerlines
	Target Investment Area		Knightdale Next Study Area
	Rural Planning Area		Major Roads
	Extraterritorial Jurisdiction (Expansion Area)		Growth Activity Center
	Floodprone Areas		Priority Investment Area Around Activity Centers
	Old Town		Neighborhood Node





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Priority Investment Areas and Growth Activity Centers are defined as:

The Town should 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. 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 feel of activity centers should communicate a distinct sense of place and identify what is uniquely Knightdale, creating places that are interesting, beautiful, useful, and likely to provide long-standing value. New development should radiate out in an orderly fashion from these growth activity centers, avoiding “leapfrog” growth that skips over undeveloped or under-developed land.

B. Growth & Conservation Map

The Growth & Conservation Map designates parcels in Knightdale into different place type categories based on their current state and the anticipated pattern of development. The subject property is designated as “Old Town” place type, and the proposal is consistent with that label.

PLACETYPE CATEGORIES

Preserved Open Space	Business Office
Rural Living	Light Industrial
Recreation Open Space	Heavy Industrial
Single Family Neighborhood	Civic & Institutional
Mixed-Density Neighborhood	Old Town
Multifamily Community	Mixed-Use Center
Neighborhood Node	Mixed-Use Center (Suburban Retrofit)
Retail	Transit-Oriented Development (BRT)
	Regional Mixed-Use Center



The “Old Town” place type is defined as follows:

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.



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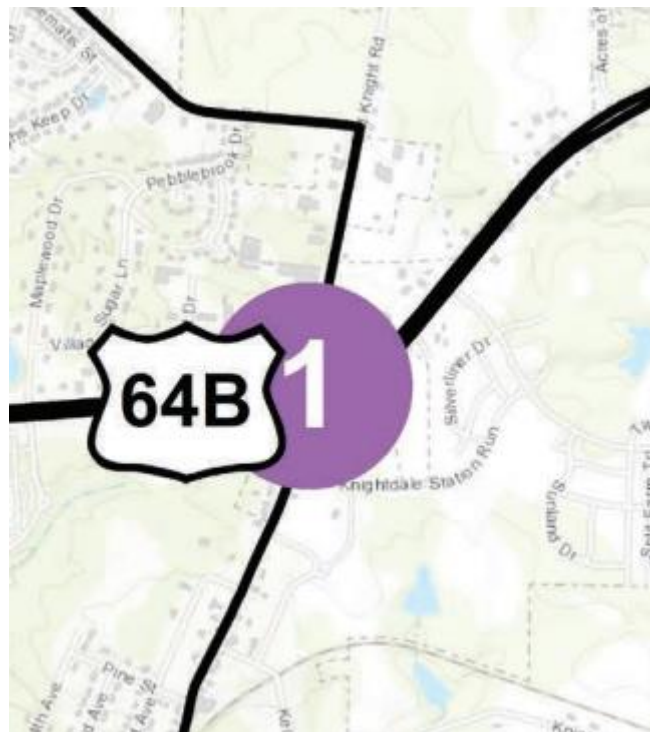
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The Place Type Transect, below, builds off of the Growth & Conservation Map and helps to illustrate how developments should blend together as Knightdale grows. The “Old Town” Place Type falls into the Centers category, which serves as a transition from more conventional residential and uses to higher densities and intensities.



C. Gateway Entrances

Gateways are identified at a number of larger intersections to help announce one’s arrival into Knightdale or specific districts within the Town. The intersection of Knightdale Blvd and North First Ave is identified as an Old Town District-Focused Gateway.





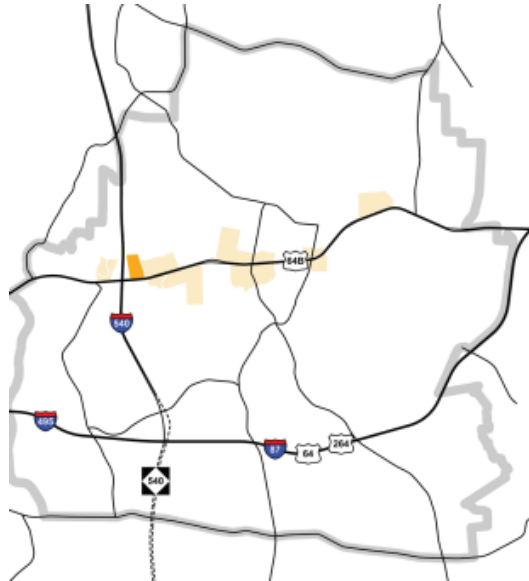
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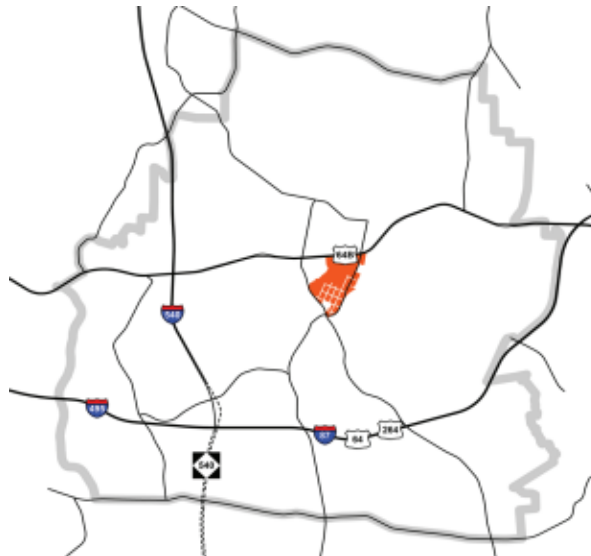
D. Focus Area Studies

The Comprehensive Plan dedicated particular attention to a number of different areas across Town, establishing conceptual small areas plans, identify specific Guiding Principles these areas should support, and providing recommended solutions. Development proposals should help to achieve the ideas expressed in each of these areas.

This site is located within two Focus Areas, the first being Transit Oriented Development. Transit currently serves this area, and future Bus Rapid Transit will only increase the potential for this intersection.



Next, this parcel is located within the Old Town Focus Area. Development within both of these Focus Areas should be sensitive to supporting uses, promote walkability and enhance the pedestrian experience, create a sense of place unique to Knightdale, and further encourage redevelopment.





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CONSISTENCY WITH THE COMPREHENSIVE PLAN:

North Carolina General Statute 160D-605 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.

The KnightdaleNext 2035 Comprehensive Plan contains 10 guiding principles categories developed by the community. These guiding principles should be embraced by development proposals to enhance quality-of-life and economic prosperity across town. The principles embody the core philosophy and Town vision expressed by the community.

Of the 10 guiding principles detailed in the Comprehensive Plan, the following applies to this development proposal.



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.

IX. STAFF RECOMMENDATION:

Staff recommends holding a joint public hearing, and following public comment, to close the public hearing and refer case ZMA-13-21 to the September 12, 2022, Land Use Review Board for review and recommendation.