

COMMUNITY DESIGN COMMISSION
CONDITIONAL ZONING COMMENTS
- Starpoint Refuel Center -

January 24, 2023

The Community Design Commission (“CDC”) conducted a review of the Conditional Zoning application for the Starpoint Refuel Center at their meeting on January 24, 2023. With the consent of the Town Planning Department, the Conditional Zoning application was submitted to the CDC prior to the conclusion of staff technical review. The CDC has significant concerns regarding the design of the proposed project. However, rather than recommending that the Town Council deny the proposed project, the CDC chose to share comments with the applicant, the Planning Commission and the Town Council. The CDC will request that the Planning Commission review their comments and consider the extent to which they are addressed by the applicant. Below is a summary of comments made and concerns of the Commission:

1. Located at the southernmost point of Chapel Hill, the project site sits at a significant gateway to the Town as well as the more rural area via Smith Level Road to the west. Any development on this site should be designed with a level of architectural quality and interest that reflects the site’s prominent location and that is sensitive to the context of surrounding properties. As presented to the CDC, the proposed project does not meet this expectation. The applicant should consider improvements to the building design that (1) provides visual interest to the east, west, and south faces; (2) includes sloping roof forms; (3) includes visually open facades; and (4) incorporates materials that reflect the visual character of Chapel Hill.
2. The retaining wall to the southwest of the proposed building should be reduced in height or eliminated. The applicant should consider a modified grading plan for the site that reduces the need for the proposed retaining wall and ramp along the front of the property. This would provide much more flexibility for appropriately siting the improvements on the land related to this prominent corner. Regardless of the height of the retaining wall, the applicant should also consider options for reducing the wall’s visual impact by considering other façade materials for the wall such as brick and by adding mature landscape materials.
3. Sidewalks should be added to the site in order to accommodate future growth in the area.
4. Electric vehicle charging stations should be installed on the site.

ENVIRONMENTAL STEWARDSHIP ADVISORY BOARD

The charge of the environmental stewardship advisory board will be to assist the Chapel Hill Town Council in strengthening environmentally responsible practices that protect, promote and nurture our community and the natural world through advice and program support.

RECOMMENDATION FOR A CONDITIONAL ZONING DISTRICT FOR STARPOINT REFUEL MARKET DEVELOPMENT

February 28, 2023

Recommendation to Council: Approval Approval with Conditions/Considerations
Denial Motion was Defeated

Motion: Stefan Klakovich moved and Marirosa Molina seconded a motion to recommend that the Council approve the conditional zoning district application for the Starpoint Refuel Market development located at 1950 US Highway 15-501 N if the following conditions and special considerations are met:

Vote: 7-0

Aye: Chair Tom Henkel, Ella Feathers, Marirosa Molina, Judy Gaitens-Arneson, Stefan Klakovich, Adrienne Tucker, Lucy Vanderkamp

Nay:

Conditions:

- Use an electric heat pump for HVAC
- Design this commercial building to include a rooftop solar system
- Minimize light pollution
- Use native plants only
- Developer will take responsibility for any remediation required by the state for removal of the underground storage tanks

Special Considerations:

- Add sidewalk to the property for enhanced connectivity
- Design plantings to help mitigate light pollution over time/at maturity

Prepared by: Tom Henkel, Chair, Environmental Stewardship Advisory Board
Anthony Henage, Vice-Chair, Environmental Stewardship Advisory Board
John Richardson, Community Sustainability Manager, Staff Liaison to ESAB

TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

To assist the Chapel Hill Town Council in creating an inclusive connected community by recommending, advocating and planning for comprehensive, safe, effective and sustainable multi-modal transportation and connectivity

RECOMMENDATION FOR CONDITIONAL ZONING APPLICATION FOR 1950 SOUTH US 15- 501 CONDITIONAL ZONING

February 28, 2023

Recommendation: Approval Approval with Conditions Denial

Motion: Bevington, seconded by Hageman, recommended denial with the following comment:

- Denial is solely because there is no planned sidewalk on the Smith Level Road frontage and the developer did not provide sufficient information demonstrating hardship from constructing the sidewalk

Vote: 4 – 0

Yeas: 4 - Chair Denise Matthews, Stephen Bevington, Heather Brutz, and Brian Hageman

Nays:

Prepared by: Josh Mayo, Transportation Planner I

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR CONDITIONAL ZONING APPLICATION FOR COLUMBIA STREET ANNEX CZD MODIFICATION

May 2, 2023

Recommendation: Approval Approval Denial with Comments

Motion: Theodore Nollert moved, John Rees seconded, a motion to recommend that the Council deny Resolution A (Resolution of Consistency) with the following comments as supplements to their recommendation:

“The Planning Commission voted 6-0 that the project is not consistent with the Comprehensive Plan, on the basis that: (a) the project as proposed by the developer does not include a sidewalk along Smith Level Road, and (b) the project does not include fully built-out and operational EV charging stations. The Planning Commission notes that the Climate Action and Response Plan calls for dramatic reductions in carbon emissions and creation of a town-wide EV charging station network. We understand that Refuel does not currently have EV charging stations at any of its properties nationally but that it is actively exploring EV charging stations for a small number of its properties.”

Vote: 6 – 0

Yeas: Jonathan Mitchell (Chair), Wesley McMahon, Chuck Mills, Theodore Nollert, John Rees, and Erik Valera

Nays:

Recommendation: Approval Approval with Comments Denial

Motion: Wesley McMahon moved, Erik Valera seconded, a motion to recommend that the Council adopt Resolution A (Approving the Application) with the following comments as supplements to their review:

“The Planning Commission voted 6-0 to recommend staff's proposed conditional rezoning ordinance, which specifies construction of a sidewalk along Smith Level Road and NCDOT-required crosswalks at the Smith Level/15-501 intersection. The Planning Commission's support for the rezoning is contingent on construction of the Smith Level sidewalk. The Planning Commission fully understands that this contingency may render the project uneconomic for the

developer.”

Vote: 6 – 0

Yeas: Jonathan Mitchell (Chair), Wesley McMahon, Chuck Mills, Theodore Nollert, John Rees, and Erik Valera

Nays:

Prepared by: Jacob Hunt, Planner II