



# CONDITIONAL ZONING

## Starpoint Refuel

May 10, 2023





# RECOMMENDATION

Open the Legislative Hearing

Receive and provide comments on the proposed Conditional Zoning

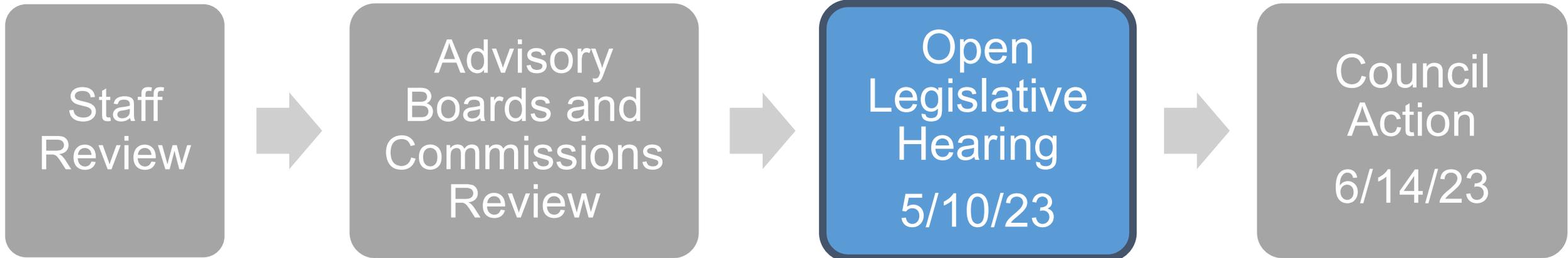
Continue the hearing to June 14, 2023





# PROCESS

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# PROJECT SUMMARY

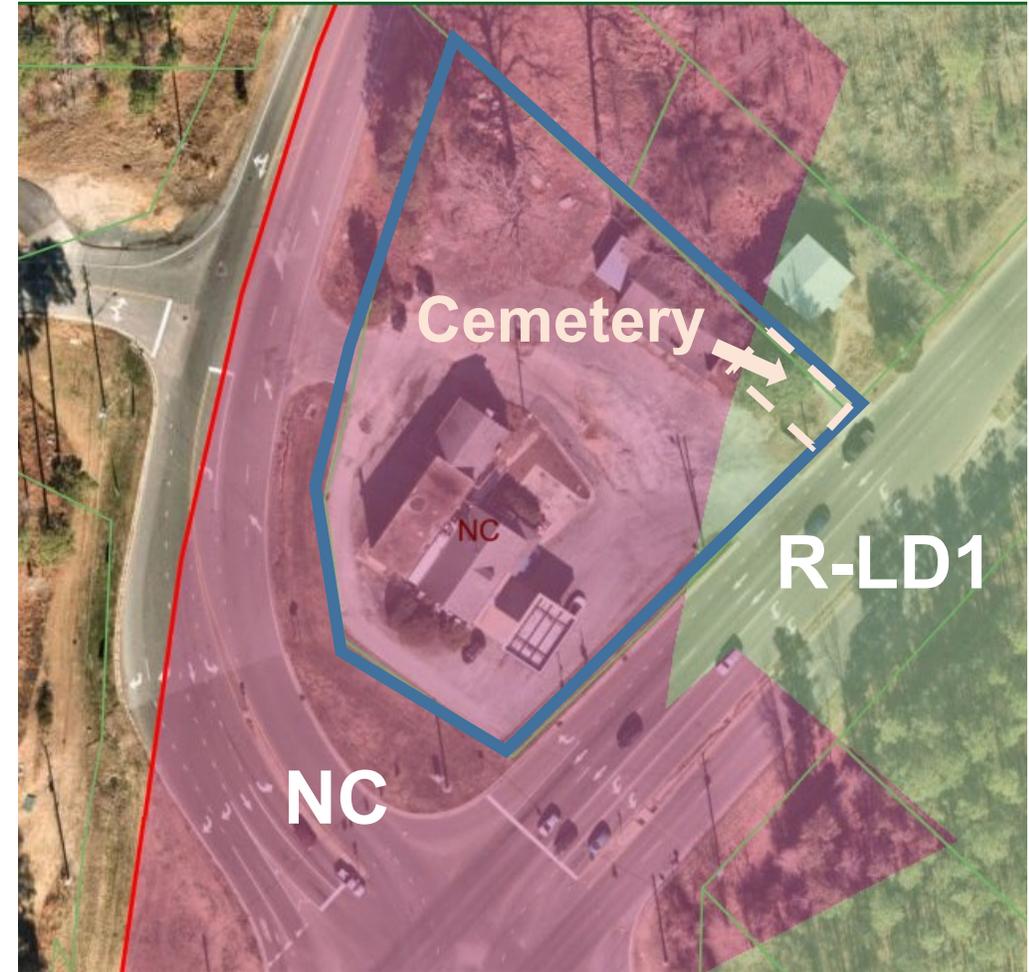
- ❑ 1.26-acre site
- ❑ Existing Zoning:  
Neighborhood Commercial (NC) and  
Residential Low Density (RLD-1)
- ❑ Proposed Zoning:  
Neighborhood Commercial –  
Conditional Zoning District (NC-CZD)
- ❑ Existing Gas Station and Retail
- ❑ Proposed Gas Station and  
Convenience Store





# PROJECT SUMMARY

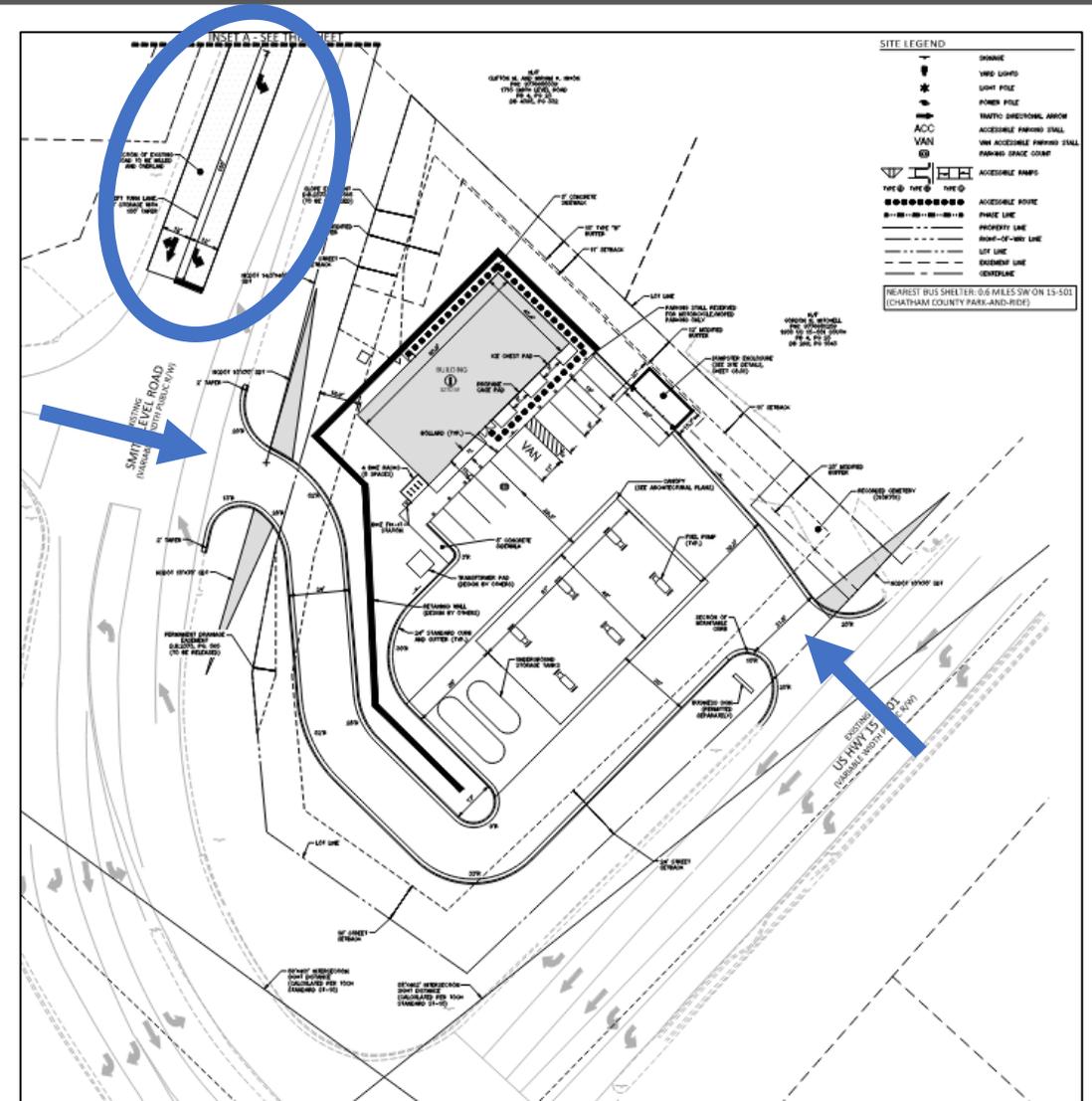
- ❑ 15-501 access within R-LD1 zoning – basis for CZD request
- ❑ Recorded Cemetery at northeast corner





# PROPOSED SITE PLAN

- ❑ 3,270 sq. ft. of commercial floor area
- ❑ New covered pump station
- ❑ Entrances on Smith Level Road and US 15-501
- ❑ Turn-lane realignment of Smith Level Road





# PROPOSED MODIFICATIONS

Requesting modification to regulations for:

		Required:	Requested:
LUMO 3.8.2: Setbacks		24 ft. Street Setback	16 ft. along Smith Level Rd
LUMO	East – single-family	Type 'C' 20 ft.	Type 'C' 12-20 ft.
5.6.6:	East – 15-501	Type 'D' 30 ft.	Street trees, 0 ft.
Landscape Buffers	West	Type 'D' 30 ft.	Modified plantings, 0-30 ft.
LUMO 5.8.1: Sidewalks		Street improvements including sidewalks along both frontages	For sidewalks to be provided within site only

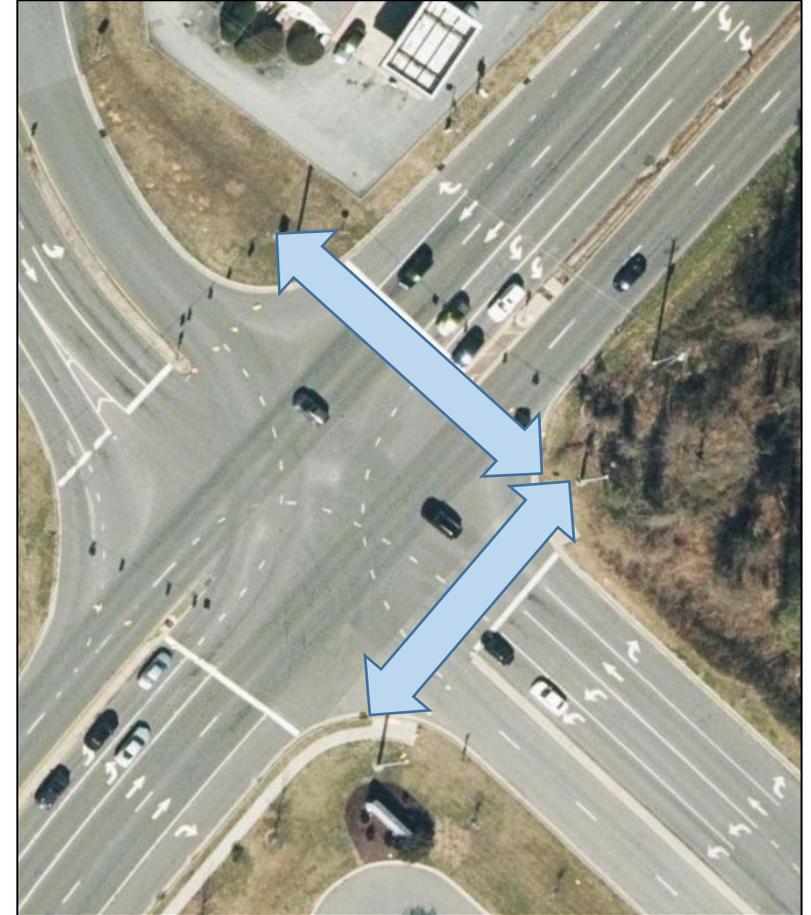


# OTHER CONSIDERATIONS

## Sidewalks and Roadway Improvements

If sidewalks are provided NCDOT will require:

- Crosswalks on US 15-501 and the Walmart entrance
- Ramps meeting ADA and NCDOT standards to accommodate crosswalks
- Pedestrian signals, pedestals, and associated improvements.





# ADVISORY BOARD RECOMMENDATIONS

ADVISORY BOARD	RECOMMENDATION:	SUMMARY OF COMMENTS:
Community Design Commission	None	<ul style="list-style-type: none"><li>• Consider improved architectural features</li><li>• Reduce retaining wall</li><li>• Provide sidewalks</li><li>• Install EV Chargers</li></ul>
Environmental Stewardship Advisory Board	Approved w/conditions	<ul style="list-style-type: none"><li>• Electric heat pump for HVAC</li><li>• Rooftop solar system, minimize light pollution</li><li>• Native plants only</li><li>• Remediation required by the State</li><li>• Provide sidewalks</li></ul>
Transportation and Connectivity Advisory Board	Denied	Denied due to lack of sidewalk on Smith Level Road without sufficient hardship



# ADVISORY BOARD RECOMMENDATIONS

ADVISORY BOARD	RECOMMENDATION:	SUMMARY OF COMMENTS:
Planning Commission	Denial of Resolution of Consistency	<ul style="list-style-type: none"><li>• No sidewalk provided</li><li>• No EV charging stations</li></ul>
Planning Commission	Approval w/comments of Ordinance A	Approval conditional on construction of sidewalks on Smith Level Road



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# TIMELINE OF REVIEW

Date	Review Body
JAN 24	Community Design Commission (CDC)
FEB 28	Transportation & Connectivity Advisory Board (TCAB) Environmental Stewardship Advisory Board (ESAB)
MAY 2	Planning Commission
MAY 10	Town Council Public Hearing
JUNE 14	Town Council Action Hearing